S. HRG. 99-476

MISSING AND EXPLOITED CHILDREN

HEARING

BEFORE THE

SUBCOMMITTEE ON JUVENILE JUSTICE

OF THE

COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE

NINETY-NINTH CONGRESS

FIRST SESSION

ON

S. 1174

A BILL TO AMEND THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT OF 1974 TO PROVIDE STATES WITH ASSISTANCE TO ESTABLISH OR EXPAND CLEARINGHOUSES TO LOCATE MISSING CHILDREN

LEXINGTON, KY

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MISSING AND EXPLOITED CHILDREN

WEDNESDAY, AUGUST 21, 1985

U.S. SENATE,
SUBCOMMITTEE ON JUVENILE JUSTICE,
COMMITTEE ON THE JUDICIARY,
Lexington, KY.

The subcommittee met, pursuant to notice, at 10 a.m., in the council chambers, 200 E. Main Street, Lexington, KY, Hon. Mitch McConnell (subcommittee member) presiding.

Also present: Senator Wendell H. Ford.

Official witnesses: Ronald J. Pregliasco, president, Kentucky Alliance for Exploited and Missing Children; Earl Dunlap, administrator, Louisville and Jefferson County Exploited and Missing Child Unit; Larry Wooldridge, director, YMCA Shelter House, Louisville; Lt. David VanMeter, Kentucky State Police Missing Child Information Center.

Staff present: Victor B. Maddox, counsel.

OPENING STATEMENT OF HON. MITCH McCONNELL, A U.S. SENATOR FROM THE STATE OF KENTUCKY

Senator MCCONNELL. OK. I want to thank all of you for coming out this morning to the hearing of the Juvenile Justice Subcommittee of the Judiciary Committee of the U.S. Senate. I am particularly pleased to have my colleague, Senator Ford, here and we will hear from him first after I make a brief opening statement.

I have a lengthy statement which I will have inserted in the record after by oral remarks.

I'd like to summarize what this hearing is about.

Technically, this hearing is about S. 1174, a bill that I introduced in the U.S. Senate which will provide some limited funding for a matching grant program to establish State missing children's centers around the country. As all of us who reside here in Kentucky know, that step has already been taken with the passage last year of House bill 486, a bill drafted and promoted by the Kentucky Task Force Against Exploited and Missing Children of which, as a number of you in the audience may remember, I was chairman. That particular legislation gave us the opportunity to move into the forefront in America in this particular field. You're going to be hearing from witnesses today who have worked with the newly established Kentucky Center on the progress of that center. We're looking forward to seeing how Kentucky is doing with this new model legislation.

I also want to note that there's been an article written in the Denver Post, last Sunday, as a matter of fact, and the New York

Times, about the question of data on missing children. I think it's an important subject to take a look at the statistics that have been bandied about throughout the country in terms of the number of children who are missing that are children that have been abducted by strangers. My impression from reading the article and also from working in this field for the last 5 or 6 years is that it is a rather difficult thing to get a handle on. At the very least I think it's safe to say that it's a legitimate inquiry and I hope that those who testify today who compile statistics will make some reference to that statistical problem and give us some feel of where you think we are in terms of numbers.

Beyond that, I think it's important to note that when you are talking about the exploitation of children, the missing children issue has been a good peg to focus attention on something that is clearly not in doubt statistically—that is the large number of sexual assaults against children by nonstrangers. The courts are clogged with those kinds of cases, and as we make a growing effort to let the child-victim know that there is a place to go and it is a crime and it can be reported and something can be done about it, I think you're going to see the majority—the instance of these reported crimes going up. So, a whole part of this overall package, it's important to remember, is not just missing children but exploited children. The exploited child typically is not being exploited, as most of you know who work in this field, is not being exploited by strangers but rather by someone the child knows. So I think considerable progress has been made in that area in the field of body safety training in schools. For example, some of you have seen the play produced by the Blue Apple Players, which happens to be located in Louisville, a play for children about sexual assaults by nonstrangers, and it's been playing in a number of schools not only in that county but in other counties. That's an example of the kind of spinoff from the missing children's issue that's been very helpful in terms of trying to reduce the number of assaults against children.

So, that kind of gives us a feel of what this hearing is about: No. 1, the testimony about S. 1174, the national missing children's bill that I've introduced; No. 2, an update by those who are qualified and capable to give us some feel for the statistics on the number of instances of missing children. I'm also interested in the volume of statistics on exploited children; and No. 3, a particular kind of Kentucky report on the progress of our missing children's center which was set up by the legislation last summer.

[The prepared statement of Senator McConnell and the text of S. 1174 follow:]

PREPARED STATEMENT OF SENATOR MITCH MCCONNELL

It's good to have each of you here today for what I know will be an informative and productive discussion of the status of our efforts to protect exploited and missing children and to provide more effective means of preventing children in the future from suffering the kind of exploitation and abuse so many have in the past.

In the 98th Congress, this subcommittee held hearings and took testimony on the subject of missing and exploited children in connection with legislation pending at that time, S. 2014, that was aimed at amending the Juvenile Justice and Delinquency Prevention Act of 1974 to provide for assistance in locating missing children. That bill was eventually enacted into law and became known as the Missing Chil-

dren's Assistance Act of 1984. It's now codified at 42 U.S.C. 5771, as part of the Juvenile Justice and Delinquency Prevention Act.

In those hearings, the subcommittee focused primarily on the nature of the problem of missing and exploited children by examining the circumstances surrounding the disappearances of several children, some of whom were still missing at the time, and on the recommendations and actions taken by parents and others in response to the problem. Later hearings in the 98th Congress examined the current and proposed initiatives to recover missing children and to protect other children from abuse child abduction.

As many of you know, while serving as county judge executive in Jefferson County, I was deeply committed to solving the problem and to preventing the exploitation of our children. In 1979, I set up the Jefferson County task force on exploited and missing children, and later founded the Kentucky task force on exploited and missing children. As Chairman of the Kentucky task force, I was pleased to be able to testify before this subcommittee at its hearing on February 7, 1984, and to make recommendations for improvements in the pending legislation that have since been enacted into law. Then, as now, Kentucky was out front in the effort to provide for the safety of our children, something for which all of us here today can be proud.

At the same time, while we have come a great distance since 1979, no one can deny that a great deal remains to be done. Thankfully, the national consciousness has been awakened to the point that we can now say that awareness of the problem of exploited and missing children is no longer lacking. What remains to be seen, however, is whether this awareness can be translated into effective means for dealing with not only the problem of missing children, but also with the far more pervasive problem of exploited and abused children. Without more and better programs at State, local and Federal levels to provide meaningful assistance to children and adolescents who need assistance in making their way to adulthood without turning to drugs, alcohol or other forms of physical abuse, and without slipping into delinquency or running away from home, the problem will never be solved.

I believe many of us have long recognized that the problem of abused and exploited children is one that is fundamentally more difficult to deal with precisely because of its ill-defined nature. Abused and exploited children are usually present in the home, with their parents or guardian. They may not present physical evidence of their abuse or exploitation, and frequently fail to engender the kind of sympathy and, certainly, the immediate attention, that arises from the abduction of an innocent child by a total stranger or non-custodial parent. Yet the problem is no less severe as a result.

At today's hearing, I hope to be able to examine not only the extent to which additional initiatives need to be taken to halt the problem of missing children, whether those children are missing because of abduction by strangers or because they are the victims of abduction by their non-custodial parents or simply because they have run away from their homes. I hope also to examine the extent to which our attention needs to be focused on the child who is exploited rather than missing.

Recently, a great deal of media attention has been given to the apparent discrepancy that exists between the numbers of missing children in this country and the number that have been cited as missing in recent years. As we all know, it is extremely difficult to ascertain with any sort of precision the exact number of children who are missing in any of the various categories. In hearings before this subcommittee in the 98th Congress, it was stated that according to the "United States Department of Health and Human Services, an estimated 1.8 million children are reported missing each year. This means that every hour 205 American children are reported missing, totaling almost 5,000 a day. Each year approximately 50,000 children are abducted by strangers and 100,000 by parents. At the close of each year, regrettably, some 2,500 bodies of dead children remain unidentified."

These figures are both startling and disturbing. Yet equally disturbing is the recent suggestion that can be found in media stories nationwide that the numbers are inflated or otherwise distorted. Recent stories have suggested that the number of children abducted by strangers is miniscule, while the number of children abducted by non-custodial parents is significantly less than the 50,000 or so reported by various sources. A series of articles in May of this year in the Denver Post was highly critical of the figures cited by such organizations as Child Fund, Inc., and the National Center for Missing and Exploited Children.

At the same time, editorials in a number of publications including one published in the Louisville Courier-Journal on July 7, 1985, have suggested that as much harm as good may come from over inflated figures, and that the public's receptiveness and interest in the subject will be vitiated if the numbers turn out to be excessive. The New Republic, a magazine that frequently echoes and sometimes influ-

ences public opinion, ran an editorial May 13, 1985 entitled "Greasy Kid Stuff", suggesting that psychological damage will result from over emphasis of the problem of missing children.

Rightly or wrongly, these articles are not without some merit, at least as far as public opinion is concerned. I recently received a letter from a concerned citizen in Ohio who has read of today's hearing in the Cincinnati Enquirer. Mr. Jim Newton, of Hamilton, OH, indicated that he was a retired newsman and that he had "watched with interest as the print and electronic media are regularly taking the first figures available, with or without substantiation". In his opinion, "the exploitation and exaggeration can and will harm the legitimate search for the youngster who did not run away or was not taken by a relative following a court case". I think Mr. Newton's comments make a great deal of sense.

This is not to say, however, that the problem is any less severe or any less immediate than we have always believed. In Jefferson County and later statewide, we in Kentucky always realized that most of the missing children in this country, whatever the number, were the subject of parental abductions, or were runaways. Yet these children, as we have always known, are subject to a terrible risk of exploitation and abuse. Certainly we need to know in better detail the extent of the problem, but, in my judgment, only because it will allow us to better allocate the scarce resources that we have to deal with the problem, not because it will allow us to lower our guard or scale back our concern.

The National Center for Missing and Exploited Children, which was created by last year's legislation, is keenly aware of the difficulty with pinpointing the number of missing children. As they realize, part of the problem deals with the definition of missing children. Recently, the National Center provided to my office some background information on missing children. While it noted that the exact magnitude of the problem of missing children is not yet known, the National Crime Information Center computer system administered by the Federal Bureau of Investigation received over 212,000 cases of missing children reported in 1984. The information provided by the National Center is quite informative, and I will insert that background information into the record of this hearing for everyone's benefit. While the majority of the children reported to the NCIC computer were missing for short periods of time, the important fact to remember is that for every minute that these children are missing, for whatever reason, they are in danger of being exploited or abused.

The bill that we have before us today, S. 1174, would amend the Juvenile Justice and Delinquency Prevention Act of 1974 to provide an important adjunct to the National Center for missing and exploited children. It would provide grants to States to either establish and operate or to expand and operate statewide clearinghouses for information regarding missing and exploited children.

These clearinghouses would be able to work directly with the National Center, and to provide an important link between the National Center, with its highly competent technical and administrative staff and national focus, and the local law enforcement agencies that are on the front line of the fight to find the missing child. They will help us cope with the problems associated with missing children in every case. I am pleased to have introduced this bill in the Senate, and to have a number of distinguished Senators, including Senator Ford, as cosponsors.

With this introduction, I am pleased to welcome each of the witnesses today, all of whom have been deeply committed to and involved with the problem of exploited and abused children for a great many years. Before turning to our testimony today, I would like to insert into the record of the hearing the text of the bill, S. 1174.

II

99TH CONGRESS
1ST SESSION

S. 1174

To amend the Juvenile Justice and Delinquency Prevention Act of 1974 to provide States with assistance to establish or expand clearinghouses to locate missing children.

IN THE SENATE OF THE UNITED STATES

MAY 21 (legislative day, APRIL 15), 1985

Mr. MCCONNELL introduced the following bill; which was read twice and referred to the Committee on Judiciary

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A BILL

To amend the Juvenile Justice and Delinquency Prevention Act of 1974 to provide States with assistance to establish or expand clearinghouses to locate missing children.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title IV of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5771) is amended—

(1) by redesignating section 402 as section 411;

(2) by transferring section 403 to the end of section 401, redesignating such section as section 402, and inserting after such section the following:

"PART A—GRANTS FOR RESEARCH, DEMONSTRATION PROJECTS, AND SERVICE PROGRAMS";

(3) by redesignating sections 404, 405, 406, 407, and 408 as sections 412, 413, 414, 415, and 416, respectively;

(4) by striking out "406" in section 415 (as redesignated by paragraph (3)) and inserting in lieu thereof "414";

(5) by striking out "title" in sections 411 through 416 each place it appears and inserting "part" in lieu thereof; and

(6) by inserting after section 416 (as redesignated by paragraph (3)) the following new part:

"PART B—GRANTS FOR STATE CLEARINGHOUSES

"FINDINGS

"SEC. 421. Congress finds that—

"(1) State and local law enforcement agencies serve a vital role in the safe and prompt return of missing children;

"(2) State and local law enforcement agencies serve as the initial contact point for parents or guardians of a missing child;

"(3) State and local law enforcement agencies have access to computers that can aid in quickly locating a missing child, and data accumulated on these

computers can aid in research to specify the number of children missing each year;

"(4) State and local law enforcement agencies have at their disposal an advanced telecommunications system for working and cooperating with other law enforcement agencies;

"(5) State and local law enforcement agencies can work directly with the National Center for Missing and Exploited Children, a not-for-profit corporation operating under a cooperative agreement with the Office of Juvenile Justice and Delinquency Prevention of the United States Department of Justice;

"(6) State clearinghouses will aid in the dissemination of information regarding and prompt recovery of missing children;

"(7) cooperation among local, State, and Federal law enforcement agencies that operate similar systems will aid in the prompt recovery of missing children; and

"(8) Federal assistance is needed to help initiate State clearinghouses.

"GRANTS

"SEC. 422. From amounts appropriated under section 425 for any fiscal year, the Administrator shall make a grant for the purpose of establishing and operating, or operating and expanding, a Missing Children Information Clearinghouse, to each State whose application is approved under

section 423. Each grant shall be made under such terms and conditions as the Administrator shall prescribe. The amount of a grant to a State for a fiscal year shall not exceed 50 percent of the total cost during such fiscal year of establishing and operating, or operating and expanding, the clearinghouse, as determined by the State under section 423. In no event shall any State be entitled to a grant in excess of $75,000.

"APPLICATIONS

"SEC. 423. (a) Each State that desires to receive a grant for a fiscal year under section 422 shall submit an application to the Administrator. The application shall contain such information and assurances as the Administrator deems necessary. The Administrator shall approve an application if the State qualifies under subsection (b) of this section.

"(b) To qualify for a grant for any fiscal year under this part, a State shall—

"(1) agree to provide for the establishment and operation, or operation and expansion, of a Missing Children Information Clearinghouse within its department of justice or law enforcement, alone or in cooperation with other State agencies, that will—

"(A) work in conjunction with the National Crime Information Center;

"(B) educate parents, children, and community agencies and organizations in ways to prevent the abduction and exploitation of children;

"(C) provide public information to assist in locating and returning missing children, including, among other things, the distribution of a monthly bulletin to State and local law enforcement agencies with pictures and descriptions that will aid in locating missing children;

"(D) publish a directory of other organizations, such as hospitals, medical clinics, and runaway shelters, that provide assistance in locating missing children;

"(E) establish an in-State toll-free telephone line to allow persons to report a missing child and be provided with information to assist in locating and returning a missing child as quickly as possible;

"(F) cooperate with and act as a liaison for other public and private organizations to locate missing children; and

"(G) work with the National Center for Missing and Exploited Children;

"(2) determine the cost of the establishment and operation, or operation and expansion, of the clearing-

house in such fiscal year and provide assurances that the State will at least pay 50 percent of such cost in cash or in kind; and

"(3) agree to submit to the Administrator a status report on the State's clearinghouse no later than six months after receipt of a grant under this part.

"ADMINISTRATIVE PROVISIONS

"SEC. 424. (a) The Administrator—

"(1) may prescribe such rules as he considers necessary or appropriate to carry out the purposes of this part; and

"(2) shall allocate staff and agency resources which are adequate to properly carry out the Administrator's responsibilities under this part.

"(b) Whenever the Administrator, after reasonable notice and opportunity for a hearing to any State, finds that the State has failed to comply substantially with the requirements of section 423, the Administrator shall withhold payments under this part until the Administrator is satisfied that there is no longer any failure to comply.

"(c) The Comptroller General of the United States shall have access for the purpose of audit and examination to any books, documents, papers, and records of any State receiving assistance under this part that are pertinent to the sums received and disbursed under this part.

"AUTHORIZATION

"SEC. 425. There are authorized to be appropriated to the Administrator for grants under section 422 $2,000,000 for fiscal year 1986 and $2,000,000 for fiscal year 1987.

"DEFINITION

"SEC. 426. For purposes of this part, the term 'State' shall mean any State of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.".

Senator McCONNELL. So with that introduction I would like to introduce somebody who doesn't need any introduction to this audience, my senior colleague, Senator Wendell Ford, with whom I work closely on a variety of issues relating to Kentucky. He's my friend. I think he's extremely effective and does an excellent job in representing Kentucky in the Senate. He takes care of the Democrats and I take care of the Republicans. So, I'm glad to call Senator Ford for his testimony.

STATEMENT OF HON. WENDELL H. FORD, A U.S. SENATOR FROM THE STATE OF KENTUCKY

Thank you very much, Senator. Sitting here observing you behind the dais and seeing the red light and the green light and a stenographer here, it's good to see that some of those things that go on in Washington are brought to the local levels. Through this, we will have an opportunity to have input by those who are very interested and have firsthand knowledge but probably wouldn't have the opportunity to visit us in Washington and express their feelings before our colleagues. By this method you and the others are taking back to Washington the content of these statements that are very important.

Let me thank you, my distinguished colleague, for allowing me to participate in this hearing this morning. I was proud in May to become the first cosponsor of your bill, the Missing Children's Assistance Act. You are to be commended for your efforts and I think all of those who participate in this field are complimentary and thankful that your have taken this kind of interest. I want to commend you for your efforts now to end this national tragedy, both in the work in Jefferson County as judge and now in the Congress you have an opportunity to extend what you started here. This is a certainly a problem in which everyone at local, State, and Federal governments understand the necessity of putting partisanship aside to work to find solutions.

As a father and now as a grandfather, I was saddened to learn that the current total of missing children from Kentucky stands at roughly 280 children. Some of those children have been missing as long as 7 years. It is impossible, I think, to fully comprehend the grief that the families affected by this tragedy are enduring. And it is heartbreaking to ponder the possible fate of many of these children.

In the past couple of years efforts to locate missing children have been expanding rapidly as both government and private entities join together. I'm proud that the Missing Children's Information Center administered by the Kentucky State Police has served as a model for other States to follow in setting up agencies of their own. Also, the efforts in private enterprises have been most encouraging.

The most useful tool we have in finding these children is information. The exchange of information is what the legislation we are discussing here today would promote. It would assist the States in establishing and operating a clearinghouse for the exchange of information in seven different areas. While six of these areas would concentrate on the exchange of information for reporting and locat-

ing missing children, the seventh area is one which I find as most essential. This bill once passed would mandate that funds are used for educating parents, children, and community agencies about the problem of missing children. It is my opinion that the emphasis must be on the prevention.

The Kentucky General Assembly understood the importance of prevention last year in the passage of House bill 486, led by you and your task force. This new law dealing with exploited and missing children has been requested by many States for use in developing their own legislation.

One key element of the law is the requirement that State police and each city and county police force must, upon request by parents, fingerprint children without charge on forms provided by the State. The parents can then retain the sole copy of the fingerprints.

Senator, my grandchildren started to school yesterday. It caused me to wonder how many times these missing children are taken to a school and no one makes any effort to find out if those bringing the children to school are really their parents. That ran through my mind yesterday, and I wondered if there is something we might do to be sure that the schools exercise some interest in who brings that child to school; whether it is their real parent or a legal guardian. This is a concern that you and I might want to work on at a later date.

I urge parents in Kentucky to take advantage of the fingerprinting service. The fingerprints could be useful to authorities if the children were ever reported missing. I believe the most important aspect of fingerprinting is the heightening sense of awareness it gives both parent and child about the potential tragedy. The importance of simple prevention tips, such as teaching children their address and telephone number, cannot be stressed enough. Parents must be made aware of these tips so that they can be taught from a very early age.

I want to stress that the long-term goals of missing children's programs, both government and private, must be to eliminate the problem. That can only happen if we make everyone aware of the dangers so that the tragedy is no longer repeated day after day in cities and communities across this great land.

Senator, last evening I sat with my five grandchildren. I enjoy that very much. I thought about coming up here today and what would I do if one of those children were missing. I know some grandparents, whose names I will not mention, who had the resources to hire detective agencies to locate their grandchildren, and they were located. What if grandparents do not have the financial ability to hire agencies such as that? That doesn't mean that the heartache and frustration are not just as severe. I'm reaffirming to you, my dear friend, my support here this morning to work with you in promoting the passage of this legislation at a very early date.

Senator McCONNELL. Thank you, Senator Ford. With regard to just my observation with regard to the suggestion you made about checking on children in school. One of the recommendations of the Kentucky Task Force on Exploited and Missing Children last year which would require no legislation would simply be to have a callback system. If a child is abducted on the way to school and doesn't

show up for school basically they have no way of knowing until the next day when he comes back and presents them with an excuse from the doctor as to why he wasn't there. As a lot of these professionals in the audience who work these cases all the time know of this—the period most often lost is the first 8 hours. One of the projects that the PTA might assign would be to have a call-back program, which the children who do not show up that particular day were called by someone at school. Now, the school administration will say, and I believe this, don't have the time to handle all of that, but it is a good PTA volunteer project to have parents assigned to do the callbacks to avoid the time connected—a number of—particularly larger cities in which the child has been abducted on the way to school and didn't know until that afternoon. The parent finds out he was not at school and the the school people find out he was not at home, that the child was, in fact, gone. So that's a very important point. I want to thank you for being the first cosponsor of this bill and thank you for all of your interest in missing children.

Senator FORD. Thank you, Senator.

Senator MCCONNELL. I'd like to do two other things before we go to the next witnesses. Senator Jeremiah Denton from Alabama, one of the most active members of this subcommittee, has submitted a statement which I'll have included now without objection.

[Prepared statement follows:]

PREPARED STATEMENT OF HON. JEREMIAH DENTON, A U.S. SENATOR FROM THE STATE OF ALABAMA

Mr. Chairman: I commend you for introducing S. 1174, a bill which will amend the Juvenile Justice and Delinquency Prevention Act of 1974 to provide matching grants totaling $2 million in fiscal year 1986 and 1987, to establish state clearinghouses for information on exploited and missing children. The legislation stands as an indication of your continued leadership in the field of missing children. I am pleased to join your effort by cosponsoring S. 1174. I am sorry that my schedule will not permit my attendance at the hearing, though I look forward to reviewing the transcript of the proceedings.

Mr. Chairman, as you are fully aware missing children are a growing national tragedy. The Department of Health and Human Services has estimated that each year approximately 1.8 million children are missing from their homes for varying periods of time. Approximately 90 percent run away for a few days and return home, but at least 150,000 children become victims of custody battles and are abducted by the non-custodial parent, and as many as 50,000 young Americans are reported as having been abducted by strangers. Other children who fall in the category of missing children have been thrown away by their parents, are lost, or have become unidentified victims of accidents or crimes. In my home state of Alabama, the Missing Children's Bureau has current active files on 279 young Alabamians.

Thousands of children and their parents are victimized every year. The children disappear into the unknown. The parents live in an agony of searching for their children with little hope of success. When the parents do meet with success, they find their children suffering lasting physical, emotional, and mental problems.

There is no possible way that we, as outsiders, can even begin to understand the devastating grief of families who must deal with the trauma of a missing child. We may not be able to understand the grief, but we can certainly act to help deal with it. I firmly believe that the Federal Government and the private sector must play a more active role in the process of finding missing children and returning them to their homes.

Under the able leadership of Senators Specter, Hawkins and then Congressman Simon, the Congress in 1982 passed the Missing Children Act. The Act extended the FBI's authority to collect and record data about missing children. It required the FBI to list missing children in a national computer accessible to most police departments across the country. I note that, at a recent FBI Oversight hearing before the

Subcommittee on Security and Terrorism, which I chair, Director William Webster reemphasized the commitment of the FBI to assist in the fight against the tragedy of missing children.

The Missing Children Act of 1982 was only the first step to improve the protection of our children. The next phase, complementing the first, was the missing children component of the Juvenile Justice, Runaway Youth, and Missing Children's Act Amendments of 1984, which was signed by President Reagan on October 12, 1984. The purpose of the law is to obtain a greater national commitment and effort to solve the disappearance of so many of our children every year.

The law guarantees coordinated and comprehensive programs at the Federal level to assist local and State authorities in the search for missing children. It provides for the establishment and maintenance of a toll-free telephone line for the reporting of information about the location of missing children. The law also created the National Center for Missing and Exploited Children, a national resource center and clearinghouse providing technical assistance to law enforcement officials. The National Center has already established itself as an effective weapon in the fight against the tragedy of missing children.

Yet the National Center could be even more successful if a link could be made between all levels of law enforcement, from the national to the local level. To establish the link, we must encourage all of the States to set up central repositories of, the clearinghouses for, information about missing children. The State Information Centers would then work in conjunction with the National Center in an attempt to battle the national tragedy of missing children.

S. 1174 establishes the necessary link by providing modest monetary incentives to States for establishing Information Centers for Clearinghouses. I believe that the bill will go a long way toward resolving the tragedy of missing children.

Mr. Chairman, again I commend your leadership in this area and I look forward to working with you, and with the other members of the Subcommittee to ensure a continued Federal response to the plight of the more than 1 million children who are listed as missing from their homes each year.

Thank you, Mr. Chairman.

Senator MCCONNELL. I'd also like to introduce the fellow to my right, Vic Maddox. Vic is from Kentucky. He's a lawyer on my staff in Washington and he covers the Judiciary Committee for me with special emphasis on the problems of missing and exploited children and this particular subcommittee. This is Vic Maddox.

OK, our next witness is Ron Pregliasco, who is known to many of you in this group. Is he here? Come on up, Ron. Ron is the president of the Kentucky Alliance for Exploited and Missing Children who is the successor to the Kentucky Task Force on Exploited and Missing Children which had a task, which the name implied. The Kentucky Task Force functioned for a year or so and it completed its task and wrote its report and then the issue was, where did that umbrella go from there. Well, the successor to the task force was the Kentucky Alliance for Exploited and Missing Children. The president of that organization, Ron Pregliasco, is head of the crime commission in Louisville and Jefferson County, one of the people involved at the beginning of the formation of the exploited and missing child in that county, and one of the real experts, in my opinion, on law enforcement generally and in particular this area of crimes against children. Ron, it's good to have you here.

STATEMENT OF RONALD J. PREGLIASCO, PRESIDENT, KENTUCKY ALLIANCE FOR EXPLOITED AND MISSING CHILDREN

Mr. PREGLIASCO. Thank you, Senator. With me today is Kim Allen of our staff with the crime commission who also is providing one of the staff functions for the alliance. I appreciate you calling me an expert. I guess I'm far enough from Louisville to deserve the distinction. I appreciate the opportunity on behalf of the Alliance

to comment on S. 1174, to amend the Juvenile Justice Delinquency Prevention Act of 1974. We've prepared our written testimony and forwarded it to your staff for the record. But we would like to just go over a few of the elements.

Senator MCCONNELL. Those statements will be inserted into the record.

Mr. PREGLIASCO. As you know, as a result of your hearings statewide of the Kentucky Task Force in 1983 and the passage—and what we heard going statewide in 1983 we felt a strong need in Kentucky for a clearinghouse as you have proposed in your legislation here today. We think that the Kentucky General Assembly and the Kentucky Department of Justice and the Kentucky State Police are to be congratulated for the fine work that they have done and the great reputation that the clearinghouse is beginning to receive in the State of Kentucky. I think, therefore, since we supported the establishment of a clearinghouse in Kentucky that we would applaud your efforts to do this in other States and to offer financial support for their operations.

Specifically, in the legislation we like section 423(b)(1)(B) which Senator Ford also alluded to that mandates that parents, children, and community agencies be educated in ways to prevent the abduction and the exploitation of children. We would like to make a suggestion to you, Senator, and that is that the Office of Juvenile Justice and Delinquency Prevention [OJJPD], the National Center of Exploited and Missing Children, or the National Crime Prevention Coalition, one of those groups be asked to develop community agendas. As you know, there's a lot of interest in this State and across the country, in fact community groups that want to do something to protect their children. We think that some standardized agendas of programs that have been proven to be effective would be very useful to those people. An established menu of successful programs that they can copy and select from. We think it would be helpful.

We also have another suggestion from our experiences in Louisville and across Kentucky, is that we begin to categorize in some way missing children. That we begin to break out whether a child was a runaway, realizing that very often these children leave home because of emotion, physical, and sexual abuse, they are at risk but they're different than some of the other categories of missing children, which could be a child as a throwaway. We think that a lot of parents don't want their children and in effect encourage them to leave.

The third category we think ought to be in to be scrutinized separate from the others, is the abducted child, whether it be a noncustodial parent or a stranger.

We think within those categories of missing children we need to begin to gather some information about the characteristics of the children within the category. I think with your legislation, with the development of the statewide clearinghouse that's something we might be able to accomplish.

We'd also suggest an amendment to the existing protocol on disseminating information on missing children, especially those that are abducted by their parents. In our office, the Exploited Child Unit in Louisville and Kentucky Alliance, we very often receive posters and flyers on missing children. It always shows a picture of

the child who has been abducted by the noncustodial parent. As you know, children, especially those under 6 years of age, develop physiologically very quickly and they are difficult to identify in a few years if they are missing for that period of time. But their parents aren't. Their parents, their physical characteristics will for the most part remain the same. They are out in the community looking for a job, applying for a license, and moving around, and we think they would be much easier to identify. So we would suggest that you encourage States to begin to, in addition to when they put the posters out with the picture of the missing child, to include a picture of the parent that is suspected in the noncustodial abduction.

And another suggestion that we have for you, Senator, is that any State—and I think this addresses what Senator Ford had mentioned earlier—that States begin to ask for the records of previous school enrollment for children who are being transferred into the State. That's not required, as we understand it, nationally by any mandate, and that an abducting parent in a noncustodial situation can take the child and enroll them into another school jurisdiction without the worry that their prior school records might be checked. We think that if we did that that the prior school would have an idea as to where the child went, the law enforcement officers would have another tool in their investigations, and it would be more difficult for the abducting parent to conceal the identity of the child in another community.

Those are our comments. We appreciate the opportunity to be here, and along with Senator Ford we commend you on the bill because we've seen it work in Kentucky.

[Prepared statement follows:]

Prepared Statement of Ronald J. Pregliasco

Senator McConnell and members of the Committee, my name is Ronald Pregliasco, President of the Kentucky Alliance for Exploited and Missing Children. As Honorary Chairman of our Alliance, Senator McConnell, you are no doubt aware of the circumstances necessitating our formation, but for the record we would like to briefly speak to the background of this issue.

In the early 1980's a number of communities began to discover the tremendous risks faced by children missing from their homes. Law enforcement had considered the majority of these children to be "runaways" and consequently devoted little attention to their recovery.

In the past few years, an awareness of the potential for harm that faces these children has arisen. As more information becomes available about the problem of missing children, the demand for effective programming to deal with it increases. While examples of effective programs remain scarce, we in Kentucky believe that we have a program that merits national consideration.

In 1980, Jefferson County Judge/Executive Mitch McConnell began a Task Force on Child Prostitution and Pornography, and expanded its obligations within a couple of years to all exploited and missing children. Also in 1980 a joint city-county exploited and missing child unit was established using police/social work teams to investigate these cases. It became apparent to the officers of that unit that a large number of the children appearing on our streets were in fact missing from other jurisdictions across the state.

In 1982, to better understand and deal with this problem, the County Judge/Executive Mitch McConnell, established the Kentucky Task Force on Exploited and Missing Children and held hearings across the state to develop an understanding of the nature and scope of the problems facing our missing and exploited children.

Completing its work in less than one year, the Kentucky Task Force issued its report which contained major legislative recommendations. In order to establish a mechanism to continue the work of the Task Force and involve

large numbers of interested citizens across Kentucky, the Kentucky Alliance for Exploited and Missing Children was formed largely from the membership of the former Task Force. The Alliance accepted as its first order of business to work with the Kentucky General Assembly to ensure that the legislative recommendations contained in the Task Force Report were implemented into law.

The 1984 session of the legislature heard our pleas by unanimously passing an extensive package of laws. The legislation, known as H.B. 486, addressed many of the barriers thwarting the recovery of missing children. Among the legislative provisions were:

-Establishment of the Kentucky Missing Child Information Center to operate as a statewide clearinghouse for information on missing children under the Kentucky Department of Justice.

-Requirement that all law enforcement officers in the State of Kentucky take reports on missing children, a provision that had existed before only in reference to automobile accidents.

-Upgrading the charge of custodial interference from a misdemeanor to a felony, thus making our warrants effective throughout the country.

-Establishment of a statewide system to notify schools of the identities of missing children, if their parents requested the dissemination of this information.

House Bill 486 also included a number of other laws that dealt with exploited children. Its most significant provision, however was the establishment of the Child Victims Trust Fund Board in the Office of the Attorney General. This fund, which is able to accept contributions, has proven to be successful in its ability to raise money and will be Kentucky's long-term solution to many of our problems. The Trust Fund's ability to provide educational and prevention programs will no doubt help to reduce the incidence of child tragedies.

In addition to our involvement in the development and passage of the legislation, the Alliance has worked with officials and civic groups in communities throughout Kentucky to establish local task force operations that promote prevention and effective investigations. We have also supported school call back and fingerprinting programs.

Our Alliance today serves to a great extent to support the efforts of the Office of the Attorney General. We have worked extensively to support and promote the fund raising provision of the

state law for the Child Victims Trust Fund, developed educational materials for their review, and are planning a statewide conference on this topic in coordination with the Attorney General's Office for this fall. In addition to these efforts, we have traveled throughout Kentucky to assist local communities in the development of Task Forces and community action agendas, promoted the use of the Kentucky Crime Prevention Coalition in the review of body safety materials, and are at this time preparing a legislative package for review by the 1986 session of the Kentucky General Assembly. With these efforts, we hope to continue our tradition of excellence in the Commonwealth.

The definition of a "missing child" has long been discussed and many variations have been suggested. According to the National Center for Missing and Exploited Children, a missing child includes "any child whose whereabouts are unknown to their parent, guardian, or legal custodian as a "missing child". Obviously, any child who has left his or her home whether forcibly or electively can be at risk. Along with a standardization of the definition, we must begin to classify the various types of missing children, e.g. parental abductions, stranger or violent abductions and runaways. Our efforts thus far to categorize missing children have taught us that most children declared "missing" were not the victims of noncustodial parental or stranger abductions, but runaways. According to Alfred S. Regnery, Administrator of the Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice, it is believed that the "bulk of the children who vanish each year, and that the vast majority of the children entered on missing person's files each year, are those who, for whatever reason, voluntarily left their homes (Juvenile Justice Digest, March 25, 1985)."

Of the runaways, we know that approximately 80% are back home within two weeks. Of this 80%, we know that most do not stray a great distance from their home and that most of these runaways are between 15 and 17 years old (Juvenile Justice Digest, March 25, 1985). However, there are a number of these runaways who fall prey to exploitative situations on the street and frequently become involved in prostitution, drug trafficking, pornography, and other illegal activities. It is often the children who

have been emotionally, physically or sexually victimized in their homes who elect to runaway. These children, who may suffer the self-blame and self-depreciation that so frequently occurs with victimization, are even more vulnerable to the seductive lures of pornographic manufacturers or sexual exploiters.

A new category of missing children that is being currently addressed involves the children who have been abandoned or "kicked out" of their homes for whatever reason. These children, frequently termed "throwaways", may not receive the media attention that the other "missing children" cases do, however, they again represent children at risk who desperately need the services of those who seek to lessen the plight of missing children.

Unfortunately, we are unable to identify the number of these children who are at risk. This is due in part to the lack of an effective system for collecting data on this issue. The question of reporting is also involved, making it impossible to determine, for example, how frequently children were "thrown out" of their homes in a given period of time or how many children elected to runaway. Although strides have been made in an attempt to set up record-keeping and reporting systems to improve data collection, there is still much work to be done.

As you can no doubt determine from our testimony, the Kentucky Alliance for Exploited and Missing children is very much in accordance with the intent and design of the legislation being considered here today. Our Alliance strongly supported the development of a missing children's center in Kentucky in 1984. The sharing and posting of information, as is directed under Senate Bill 1174, will enable other states to have the success as the State Police have in the State of Kentucky. We know that the program is successful in Kentucky and applaud the efforts of Norma Miller, Secretary of Justice for Kentucky, Morgan Elkins, Commissioner of the Kentucky State Police, Major Bob Stallings, who operates the unit, and all of the dedicated employees of the Kentucky State Police who have taken this important task seriously. Their expertise and experience should no doubt be helpful to other states who begin similar initiatives.

We would like to applaud your mandate in Section 423 (b) (1) (B) in that you direct state agencies to "educate parents, children and community agencies

in ways to prevent the abduction and exploitation of children." Nationally we have developed the interests and concern of our citizens, but we have not prescribed sufficient prevention programs. We would advocate that "community action agendas" be developed by a credible national organization, such as OJJPD or the National Crime Prevention Council, that would standardize prevention programs across the country. Even in Kentucky, where efforts have been herculean and awareness is extremely high, a number of communities are asking for prevention program models and standardized materials that will direct their energies in the most productive manner. If standardized information and program models were developed, it would lessen the expense of education and prevention projects and direct all of our efforts in a meaningful fashion.

We would also like to suggest an amendment to the current protocol used in disseminating information on children who are abducted by non-custodial parents. It would seem that a picture and any available information on the parent would be perhaps as important on a flyer or even more important than a picture of the missing child, especially in cases where the missing abducted child is under six years of age. We know that children do not circulate in the communities as do adults, are not usually seeking employment, and through the physical development process often look a great deal different over a period of a few years. We would therefore encourage you to direct any state clearinghouse awarded a grant under the provisions of Senate Bill 1174 to make every effort to obtain pictures, physical identifiers and occupational and license information on the noncustodial parental abductor. Law enforcement agencies and interested citizens who are making an effort to locate missing children who have been abducted by a noncustodial parent would, we think, benefit greatly in their search and awareness efforts from such an endeavor. We would also encourage the Office of Juvenile Justice and Delinquency Prevention to attach, as a condition of making a grant, the provision that any state making an application under this legislation require transcripts of students' records if they are transferring enrollment from another state. Verified transcripts, if required, would alert the child's former school district

of his or her current location. This could facilitate recovery of a missing child as noncustodial parents, abducting their children, would then face another obstacle to continued unlawful custody.

In summary, we heartily endorse Senate Bill 1174 and urge its passage. Our greatest hope and the true barometer of success from our joint efforts is that someday the Louisville and Jefferson County Exploited and Missing Child Unit, the Kentucky Missing Children's Information Center and the National Center for Exploited and Missing Children can all be closed for lack of business.

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BACKGROUND INFORMATION ON
MISSING CHILDREN

MAY 1985

No one is certain of the exact magnitude of the problem of missing children in the United States. While we do understand some of the parameters of the problem, there is much that we do not yet know. For this reason, the Congress of the United States, in October 1984, mandated national incidence studies on the problem of missing children. In the upcoming months, the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice will be conducting these studies.

Some facts are known. The National Crime Information Center, administered by the Federal Bureau of Investigation, maintains a computerized system which can be used by local law enforcement agencies to report cases of missing persons. In 1984, the system received reports of over 212,000 cases of missing children in the United States. However, this does not fully describe the number of cases of missing children because this system is still significantly underutilized by law enforcement agencies and, in addition, many cases remain unreported to official agencies. Thousands of cases of missing children are simply not entered. A total of over 247,000 cases of missing persons (adults included) were reported to this system in 1984. 238,000 records were removed during the same year. Official records entered into this system show evidence of the existence of over 28,000 cases of missing children currently missing as of a particular date.

Some data from local and state agencies does provide important information on the numbers of missing children in the United States. A report prepared by the Illinois Department of Law Enforcement in March 1984 indicated that the Chicago Police Department reported 13,291 persons under the age of 17 as missing during 1980. Eight thousand of these records were classified as children who had voluntarily left home. At the end of March 1985, the State Clearinghouse administered by the State of Florida Department of Law Enforcement reported 3,054 cases of children currently listed as missing in that state as of that date.

As one will discover from reading this text, the traditional definitions of "runaways," "parental kidnappings," and "stranger abductions" are oversimplified, misleading, and often inaccurate. In addition, traditional law enforcement record-keeping systems do not accurately reflect and identify these populations.

The Definition of "Missing Children"

It is important to note that the United States Congress and the legislatures of several states have recently defined the concept of missing children. In October 1984, the United States Congress defined the term "missing children" to include any individual under 18 whose whereabouts are unknown to the individual's legal custodian if either the circumstances indicate that the child may possibly have been abducted or the circumstances indicate that the child is likely to be abused or sexually exploited. The National Center for Missing and Exploited Children regards any child whose whereabouts are unknown to their parent, guardian, or legal custodian as a "missing child." All available evidence indicates that any child who has lost his or her home for any reason is indeed at risk.

Children Who Are Voluntarily Missing or Abandoned

A national statistical survey commissioned by the United States Department of Health and Human Services in 1976 estimated that, at that time, 733,000 children voluntarily left home annually. The Inspector General of the Department of Health and Human Services in October 1983 made a "conservative" estimate of 1,155,384 runaways or homeless youths annually in the United States. The Inspector General's report concluded with the following two paragraphs:

> "Police and juvenile probation respondents consistently advised us that only one in four or one in five runaways/ homeless whom they see is ever arrested, detained or officially counted and that many runaways are not reported as missing by their parents. A statistically structured study in California found that only one in six runaways is reported as missing by parents or guardians and that only one in five runaways knows about the availability of runaway shelters. Applied against even the most conservative number of counted youth identified above (558,662), these multipliers of four to six would mean that runaway and homeless youth exceed two million nationally.
>
> "A conservative conclusion is that (a) many runaways and homeless youth are not counted in any official statistics, (b) there never has been a national statistical study of both runaway and homeless youth, (c) this group is notoriously difficult to count and (d) estimates over one million are fully consistent with the judgment of police, school and other officials about the overall number of runaway and homeless youth in the U.S."

The professionals who have had direct experience with these cases have learned that this is certainly an endangered group of children who are often the victims of street crime or exploitation. Unfortunately, many of these children end up as homicide victims. Many children who have voluntarily left home may be fleeing from physical, sexual, or emotional abuse. Recent studies by the Louisville/Jefferson County Exploited and Missing Child Unit in Kentucky have shown that up to 11 percent of the children who have voluntarily left home end up as victims of criminal or sexual exploitation during their time away from home. By all indications, this is a large population of children who are most certainly at risk.

Finally, there is a population of children in this country who are "kicked out" of their living situations or abandoned under a wide variety of circumstances. Though their cases seldom come to the attention of the authorities, these children are certainly properly considered as lost or missing. The number of children who suffer this fate is difficult if not impossible to determine.

Parental Kidnapping

Estimates from various organizations of the number of children who are the victims of non-custodial parental kidnapping vary from 25,000 up to three quarters of a million cases each year. A preliminary survey directed to estimate the national incidence of parental child-snatching was reported in the Journal of Marriage and the Family in August 1984. That study, conducted by the University of Rhode Island and Lou Harris and Associates, estimated 459,000 to 751,000 incidents of child-snatching each year. Interviews with officials in the Santa Clara County, California District Attorney's office indicate an estimated 1,000 inquiries a year from parents who suspect that this crime may have been committed in that jurisdiction. There are no surveys or estimates of the incidence of parental kidnapping that have gained widespread approval or support.

No one knows the true parameters of this part of the problem of missing children because there currently exists no effective record-keeping system to determine the extent of the problem. Experience has taught us that this, too, is an endangered group of children who are often exposed to neglect, emotional trauma, or physical abuse.

The definition of the crime of "parental kidnapping" or "custodial interference," is determined by individual state statutes.

Abduction or False Imprisonment of Children by Non-Family Members

Estimates of the number of children who are abducted or falsely imprisoned by an unknown individual or non-family member each year vary greatly. Some estimates place this number between 4,000 to 7,000, while others indicate that this may be happening to as many as 20,000 children each year, and possibly more. One estimate by the United States Department of Justice has indicated that this may be happening to as many as 5,000 children each year (Attorney General, June 1984).

One of the critical difficulties in establishing effective statistics in regard to this particular kind of abduction has to do with legal, statutory, and practical interpretations of abduction and false imprisonment. One common misunderstanding occurs because many individuals and official organizations anticipate that most children who are abducted by unknown individuals or non-family members will be gone for a substantial period of time, sometimes forever. The reality is that there are thousands of children in this country who are kidnapped or falsely imprisoned each year by non-family members or unknown individuals--and yet they only remain missing for a number of minutes or hours. This situation often involves the kidnapping or false imprisonment of a child for sexual abuse or exploitation. In legal, statutory, and practical terms, these children are missing and are the victims of abduction or false imprisonment by non-family members. These cases are typically recorded as sexual offenses rather than as abductions.

There are at least three other classifications of missing children who are in fact the victims of abduction or false imprisonment by non-family members but whose cases are never recorded as such. One group is the children who are classified as voluntarily missing or labeled as "runaways" simply because of the age of the child. In many cases, the circumstances discovered later indicate that these children were the victims of abduction or homicide. Another population of abducted missing children are those who are classified as voluntarily missing simply because of an absence of explicable facts upon which to conclude that the child is a victim of foul play or abduction. Unfortunately, many of these children are victims of abduction or exploitation or even murder, but because of a lack of evidence indicating an abduction, these cases are recorded as "runaways" or as "unexplained." Another group of cases that are rarely included in the abduction category are those situations where the child has voluntarily left his or her home and yet ends up as a victim of abduction or murder. This is a significant population of children at risk whose cases are rarely known to authorities or properly classified.

When we finally apply proper legal, statutory and practical interpretations to this part of the problem of missing children, we will certainly learn that this is a tragedy that affects many thousands in this country each year.

The Link Between Missing and Exploited Children

Recent studies conducted by the Exploited and Missing Child Unit in Louisville, Kentucky, have shown that as many as 85 percent of the children who have been criminally or sexually exploited were in fact missing at the time of the act of exploitation. The condition of being "missing" increases the probability of child victimization.

Senator McCONNELL. Thank you very much for your testimony. I appreciate the useful suggestions. With regard to the recent suggestions that the statistics on missing children have been exaggerated. What is your view—I assume you've read some of those articles. Could you give your view about that? And how accurate have our figures been?

Mr. PREGLIASCO. Well, I think in Louisville and Jefferson County they've been very accurate. And I saw the Sunday paper, the article that said that the national figures had been extrapolated from that. But I think we were the first community in the country to begin counting. And I think those numbers in Louisville and Jefferson County are accurate. And no doubt Earl Dunlap, who runs that unit will comment on that was. But, it's been my opinion that they have been very accurate. I also take issue with just counting the numbers. I don't think that the numbers themselves do the issue credit. We've seen hundreds of children come into the Office of Exploited Child Unit which is located in our area and those children were sexually exploited, a good majority of them missing from homes——

Senator McCONNELL. While they were missing or——

Mr. PREGLIASCO. Both, both. A lot of them were missing at the time they were sexually exploited.

Senator McCONNELL. I'm trying to separate out—I may have asked the question wrong. I'm trying to separate out the missing side of it. Because I—in my judgment, unless I hear something else, nobody has disputed that a heck of a lot of kids are being sexually assaulted. I think we all know about that. I think the issue in discussion here is the question of whether or not the stranger abductions or just the overall missing child, errant, whether runaway or otherwise has been exaggerated.

Mr. PREGLIASCO. In my opinion it has not been in Kentucky. And I would strongly endorse the figures that have come out of the Louisville and Jefferson County Exploited Child Unit. Those have been real complaints, actual real reports by parents to that law enforcement agency. And I think those numbers are very credible. If those numbers are accurate there are a lot of children that are missing and that is why we would encourage you to begin to look at the different categories of missing children, the runaways versus the credible abductions by noncustodial parents, or the stranger abductions.

Senator McCONNELL. It is not my job to testify today but having worked on this problem for 5 or 6 years with Ron Pregliasco and others of you in the room, it's been my impression that one of the problems is that the press is only interested in the missing child issue. We talk a good deal about—throughout the development of this legislature, throughout the hearings, throughout the study about the exploited child, the child being assaulted by a nonstranger, but by someone known to the child and we always said from beginning to end that that was the bulk of the cases. But one of the problems is in trying to publicize this area generally, and I'm interested in your observations about what I'm saying, it's the missing child that really grasps the attention of the press, and so it's hard to get the kind of attention that the bulk of the cases, which are the nonstranger sexual—I see you all shaking your head

and I know you agree with me—that the nonstranger sexual assault cases. Do you have any observation of that?

Mr. PREGLIASCO. Well, we've seen a good deal of those. We're—and Kim has worked on some prevention programs that would address the seductive lures of the acquaintance used with—acquaintance used with the child when they're trying to deal with them to break down some of their inhibitors. But I strongly feel that in Kentucky, getting back to your first question, those numbers have been accurate. They have real reports filed by parents whose children were not at home. Some of them returned quickly. I think 80 percent of the children returned within 48 hours. No doubt there are some other experts here who can comment on that. But those are children that were actually missing from their homes in this State and in Jefferson County.

Senator MCCONNELL. Well, Vic was just pointing out, and some of you may have noticed the tragic story in Monday's Courier about the man in Minnesota who apparently sexually assaulted and killed his own child. But in light of that—became active in the search for the child he destroyed. That kind of case, I think, does illustrate what most of your professionals in the area seem to believe, that the bulk of the cases are nonstranger—nonstranger assaults.

Mr. PREGLIASCO. In exploitation we believe that, and that's why our alliance, and Kim is an expert in the area, have developed some prevention material to address it. That you have to watch out for possibly the coach, the babysitter, the minister, the neighbor, that type of thing.

Senator MCCONNELL. I recall when we first started in discussing this issue, not only our county but statewide, feeling discomfort on the part that you—for instance, the nonstranger cases. It's a lot easier for folks to lay it off on somebody from another county. You deal with this issue that it's always somebody from somewhere else. It's not—doesn't make people squirm. But when you start bringing it close to home and you point out that the typical child molesters are middle-age males and living in the suburbs, married and have kids, and clearly not out of county then they begin to squirm. Anything else either of you want to add? Thank you again for all of your work in this field over the years.

Mr. PREGLIASCO. Thank you, Senator. Appreciate it.

Senator MCCONNELL. Our next witness, back in 1979 the—what was called the Juvenile Detention Center in Jefferson County was the worst one in the Southeast. Children were being assaulted, committing suicide in the facility, it was a disaster in every respect. I was county judge-executive at that time and we decided to have a national search to bring in the best possible person we could anywhere in the country to pick a successor. I told the group of professionals in personnel we were looking for somebody, that I wanted a truly big man in the job. This fellow stands, as you will see, that we got not only somebody with good credentials but a truly big man for the job. Before he comes up I want to tell you that the youth center in Jefferson County is one of the finest in the Nation, and has not a whole lot to do with the structure, although the structure is good, it was built new, but the principal reason it is one of the finest in the Nation is Earl Dunlap. In addition to

wearing that hat, Earl is also in charge of the Exploited and Missing Child Unit in Jefferson County. It's good to see you again, Earl, and we look forward to hearing from you.

STATEMENT OF EARL DUNLAP, ADMINISTRATOR, LOUISVILLE AND JEFFERSON COUNTY EXPLOITED AND MISSING CHILD UNIT

Mr. DUNLAP. Thank you, Senator. I think what I'd like to do is read parts of the prepared testimony that I have——

Senator MCCONNELL. We'll put the full text in after your oral statement.

Mr. DUNLAP. In Kentucky tremendous progress has been made in recent years, first with the establishment of an exploited and missing child unit in Louisville and Jefferson County. I would point out that the Exploited and Missing Child Unit in Louisville and Jefferson County is the only unit in the county that has developed a clear cut safety criteria for dealing with missing children and as reports come in from local law enforcement people. That unit was followed by the Lexington/Fayette County Program. The training of hundreds of law enforcement officers on the issue of exploited and missing children, and the passage of Kentucky House bill 486. Kentucky has set examples which hopefully other States will follow. We are beginning to see the results of these initiatives, the advantages, and the future potential for a clearinghouse. For years law enforcement agencies refused or delayed the reporting of missing children. I would point out that as great a job as the reporting of the center, the State center, has done here, with their statistics and the information that they have received it's within my viewpoint that we still continue not to receive reports of missing children even in Kentucky. It's too unilateral a decision process and at the same time the law enforcement is not always reporting those missing children. I might add that many parents, themselves, are not reporting their children missing. With the passage of the 1982 Missing Children Act and Kentucky House bill, Kentucky has made significant inroads. The Missing Children's Information Center receives reports on missing children from local police agencies which are required to accept, investigate, and relay to the State clearinghouse all reports of missing children. The advantages of a statewide clearinghouse are numerous, but to mention a few. One would be the ability to quickly issue a flyer containing a photograph and other vital information to agencies in jurisdictions where children may be. Second, a central depository of all missing children reports, thus giving us a clear picture of the problem on a statewide basis; and third, an agency that can coordinate the followup of leads, sightings, with the National Center for Exploited and Missing Children.

If every State had a clearinghouse it would not only enable them to accomplish these three tasks, but it would also enable them to transfer and coordinate information quickly when a child has left one State and traveled to another. There have—we have in Louisville investigated various cases where information we have received or our investigators have received, that indicated the child had left Kentucky and traveled to a rural area of another State. We have missed locating that child as a result of not knowing, or

simply being unable to learn, which law enforcement agency, be it city, county, or the sheriff's department, has jurisdiction in that particular area. If States such as this had an opportunity to develop a clearinghouse then the most critical of concerns in an investigation, that which is very simply is time, would be in the child's favor. The children, for a change, need to be given the advantage. After all, the odds are against them when they leave their home anyway.

A missing child has been called the ultimate parental nightmare. Perhaps all parents realize that fear, that particular fear at sometime, but most are spared the reality. However, for many more than was suspected even a few years ago, the nightmare continues to come true. And for some it doesn't end, those who never learn their child's fate. The statistics are chilling, even if open to question. It is estimated that only 10 percent of all disappearances are reported to the FBI. John Walsh has stated that only 35 percent of all law enforcement agencies enter children into the NCIC system, and only about eight States have any meaningful legislation pertaining to missing and exploited children. We know that 210,000 children were entered into the NCIC system in 1984, and if the 10-percent theory is a reasonable one, then it places the total number of missing children on an annualized basis at well over the 1.8 million estimated by various national groups.

Who are the 1.8 million or more children? I believe most of you people here today would agree that the majority of all missing children are runaways, children that are missing because they have left through their own initiative, and they leave for a variety of reasons. I had one child say to me "I don't—I didn't run away, I walked away. My parents don't care about me. They probably didn't even file a police report," and in fact the parents did not.

In Louisville and Jefferson County our missing child cases are investigated as exactly that, missing children, not as runaways. When a child is missing, not where they are supposed to be, have had no contact with parents, friends, or relatives, he or she is simply at risk. They are forced to survive by whatever means necessary. And in fact, many do not. It is reasonable to assume that no one has an accurate picture of the number of children that are abducted in this country. It is equally reasonable to assume that there is no accurate figure of the number that die as a result of criminal exploitation.

But, we also know that there are a number of gaps in the system when so many States lack a centralized reporting systems and the ability to move quickly on missing reports. How often have we heard, when kids run away they'll come back, we have more pressing concerns to deal with.

Often those so-called runaways have become the pressing concern. In Atlanta the first 17 of the 29 killed were listed as runaways, not missing. In Chicago when John Gacy killed 33 young men, police Sgt. Robert Gilroy could not even convince his own peers that his 16-year-old son, one of the victims, was in fact not a runaway.

The establishment of a clearinghouse is only a beginning but, it is an important one. The skeptics are now beginning to question the statistics and the so-called hoopla surrounding the missing chil-

dren's issue. The practitioner and/or investigator find it difficult to deliver an adequate answer because they have only their own individual information and everyone does it differently. It's time we were able to gather such information in some meaningful manner. The subject of missing children has not been sensationalized. Anyone who believes that only needs to sit with a parent of a missing child for a few moments. Senator Paula Hawkins from Florida once stated, "Our Nation's children are the leading endangered species of today. We need to rearrange our priorities and put our children at the top of the list. Parents are responsible for their children and must protect them." Senate bill 1174 calls for a rearrangement of those priorities. However, it needs to be understood that the concept of a clearinghouse will only be as good as what is done with the information that is gathered and subsequently disseminated.

In Louisville and Jefferson County the initiative, as a result of your leadership, Senator, was proactive. Missing kids were seen as victims from the onset. Any other way of looking at it could well result in a catastrophe in some home, somewhere. I would suggest that the clearinghouse also become a means by which to determine how we utilize resources that we already know are extremely limited. I would suggest to this committee that much more information may evolve from the creation of a clearinghouse than can now begin to touch our imagination. It's my opinion that it may well result in effective leadership on the subject, could and should result in a cost effective means by which to approach the problem, respond to the critics with substance rather than what some have suggested as rhetoric, and most importantly assist in saving the kids.

In Louisville and Jefferson County it was your mandate to aggressively pursue the conditions that breed child tragedies. Our experience indicates that we have only seen the tip of the iceberg. That one of the starting points is with the missing child, and often leads to a path of tragedy. I, as in the case of many of us, will never understand why it requires a tragedy in order that that action be taken.

[Prepared statement follows:]

Prepared Statement of Earl Dunlap

Mr. Chairman:

Please allow me to extend my appreciation for the opportunity to testify before this committee regarding S. 1174. In my opinion this is one more step toward doing everything possible to not only locate but protect our children. The term "exploited and missing children" by itself is unpleasant to say the least. Only in recent years, through the efforts of individuals such as yourself, Senator, has the public become aware of the magnitude of the problem. We can trace the abuse of children to 300 B.C. in the Near East when 6 and 7 year old girls were used as temple prostitutes. We have known that there have always been missing children throughout the country, but only in the last few years has the general public taken notice of the actual and potential tragedy concerning these children. The time I have here today cannot begin to identify all the issues relating to the problem of missing and exploited children, but what I have to say is a harsh reality. It is a matter of dealing with priorities and the conscious awareness of the general public and the priorities of its' legislators.

In Kentucky tremendous progress has been made in recent years. First with the establishment of an exploited and missing child unit in Louisville/Jefferson County, to be followed thereafter by Lexington/Fayette County, the training of hundreds of law enforcement officers on the issue of exploited and missing children, and the passage of Kentucky House Bill 486 (particularly the section on the Kentucky Missing Child Information Center). Kentucky has set examples which hopefully other states will follow. We are beginning to see the results of these initiatives, the advantages, and the future

potential for a clearing house. For years law enforcement agencies (nationally and in Kentucky) refused or delayed the reporting of missing children. With the passage of the 1982 Missing Childrens Act and Kentucky House Bill 486, Kentucky has made significant in-roads. The Kentucky Missing Child Information Center receives reports on missing children from local police agencies which are required to accept, investigate, and relay to the state clearing house all reports of missing children. The advantages of a statewide clearing house are numerous. To mention a few: (1) The ability to quickly issue a flyer containing a photograph and other vital information to agencies in jurisdictions where the child may be; (2) A central depository for all missing children reports, thus giving us a clear picture of the problem on a state-wide basis; and (3) An agency that can coordinate the follow-up of leads (sightings) with the National Center for Missing and Exploited Children.

If every state had a clearing house it would not only enable them to accomplish these 3 tasks, but it would also enable them to transfer and coordinate information quickly when a child has left one state and traveled to another. There have been some cases investigated by the Louisville/Jefferson County Exploited & Missing Child Unit where information was received by our investigators that indicated a child had left Kentucky and traveled to a rural area of another state. We have missed locating that child as a result of not knowing, or simply being unable to learn, which law enforcement agency (city, county, sheriff's department) had jurisdiction in that particular area. If states such as this had the opportunity to develop a clearing house then the most critical of concerns in an investigation, that being time, would be in the child's favor. The children, for a change, need to be given the advantage. After all the odds are against them when they leave.

A missing child has been called "the ultimate parental nightmare." Perhaps all parents realize that fear at some time, but most are spared the terrible reality. However for many more than was suspected even a few years ago, the nightmare comes true. And for some it doesn't end, those who never learn their child's fate. The statistics are chilling, even if open to question. It is estimated that only 10% of all disappearances are reported to the F.B.I., John Walsh has stated that only 35% of all law enforcement agencies enter children into NCIC, and only about 8 states have any meaningful legislation pertaining to missing and exploited children. We know that 210,000 children were entered into NCIC during 1984, and if the 10% theory is a reasonable one, then it places the total number of missing children on an annualized basis at well over the 1.8 million estimated by various national groups.

Who are the 1.8 million or more children? I believe most of you here today would agree that the majority of all missing children are runaways, children that are missing because they have left through their own initiative, and they leave for a variety of reasons. I heard one child say, "I didn't runaway, I walked away. My parents don't care about me. They probably didn't even file a police report," —and the parents didn't! In Louisville/Jefferson County our missing child cases are investigated as exactly that: MISSING CHILDREN. When a child is missing, not where they are supposed to be, has had no contact with parents, friends, or other relatives, he or she is at risk. They are forced to survive by whatever means necessary — many do not. It is reasonable to assume that no one has an accurate picture of the number of children that are abducted in this country, and it is equally as reasonable to assume that there is no accurate figure of the number that die as a result of criminal exploitation. But, we also know that there are

tremendous gaps in the system when so many states lack centralized reporting systems and the ability to move quickly on any missing report. How often have we heard, "The kid's a runaway — he'll come back — we have more pressing concerns." Often those so-called runaways become the pressing concern. In the Atlanta murders the first 17 of the 29 killed were listed as runaways. In Chicago when John Wayne Gacy killed 33 young men and boys, police Sgt. Robert Gilroy could not even convince his own peers that his 16 year old son, one of the victims, wasn't a runaway.

The establishment of clearing houses is only a beginning — but it is an important one. The skeptics are now beginning to question the statistics and the so-called "hoopla" surrounding missing children and the issue of abduction. The practitioner and/or the investigator find it difficult to deliver an adequate answer because they have only their individual information, and everyone does it differently. It is time we were able to gather such information in some meaningful manner. The subject of missing children has not been sensationalized. Anyone who believes that only needs to sit with a parent of a missing child for a few moments.

Senator Paula Hawkins from Florida once said, "Our nation's children are the leading endangered species of today. We need to rearrange our priorities and put our children at the top of our list. Parents are responsible for their children and must protect them." S. 1174 calls for a rearrangement of those priorities. However, it needs to be understood that the concept of a clearing house will only be as good as what is done with the information that is gathered and subsequently disseminated.

In Louisville/Jefferson County the initiative, as a result of your leadership, Senator,

was pro-active. Missing kids were seen as victims from the on-set. Any other way of looking at it could well result in a catastrophe in some home, somewhere.

I would suggest that clearing houses may also become a means by which to determine how we utilize resources that we know are already extremely limited.

I strongly support S. 1174, Senator McConnell. I would suggest to this committee that much more information may evolve from the creation of such clearing houses than can now begin to touch on our imaginations. In my opinion it may well result in effective leadership on the subject in each participating state, could and should result in a cost effective means by which to approach the problem, respond to the critics with substance rather than what some have suggested as rhetoric, and most importantly assist in "saving the kids."

In Louisville/Jefferson County it was your mandate to: "Agressively pursue the conditions that breed Child Tragedies." Our experience indicates that we have only seen the tip of the iceburg, that one of the starting points is with the missing child, and often it leads a path to tragedy. I, as is the case for many of us, will never understand why it requires a tragedy in order that action be taken. It is my feeling that this Bill could be the impetus by which to arrive at a startling truth and leave little to the imagination of the skeptic.

Senator MCCONNELL. Thank you very much. Earl, then I gather it's your view that not only the figure's exaggerated but it's low essentially.

Mr. DUNLAP. Based on the statistical data that I have seen, reports in Louisville and Jefferson County, the reports in Kentucky, and given how we presently understand the process to work, knowing full well that not all law enforcement agencies take all missing reports, much less report all missing reports, and I'm not pointing my finger at law enforcement. They've got enough to do as it is.

Senator MCCONNELL. They are required to do it now.

Mr. DUNLAP. Pardon me?

Senator MCCONNELL. They are required to do it now.

Mr. DUNLAP. Well, they are required—what they are required to do and sometimes what happens are two different things.

Senator MCCONNELL. At least it's on the books.

Mr. DUNLAP. Correct. I would—it's my opinion based on everything that I have seen to date, the 1.8 million missing figure when you take into—all children who are in fact not where they're supposed to be, that that figure will be seen as low once general statistics are gathered through the clearinghouse concept.

Senator MCCONNELL. Earl, in terms of the percentage of cases in various categories, could you break down—it doesn't have to be totally precise, although you may have them, could you breakdown the number of cases you all deal with, say, in nonstranger cases versus either runaway or suspected runaway rather an abduction case——

Mr. DUNLAP. Well, the abduction issue, obviously is one that's up to criticism, and I don't think anybody really knows the answer to that. It is my opinion that the abduction statistic is considerably lower than probably what has been generated throughout the country.

Senator MCCONNELL. Probably even under the best of circumstances. It's got to be guess work.

Mr. DUNLAP. Oh, no question.

Senator MCCONNELL. Who knows why a child——

Mr. DUNLAP. Pardon?

Senator MCCONNELL. I mean, who is to know why the child is gone.

Mr. DUNLAP. Well, exactly——

Senator MCCONNELL. If he's 3 years old the presumption would arise that it's abduction, not a runaway.

Mr. DUNLAP. Well, and the other statistic that nobody has obviously, are those kids who are runaways, who are in Los Angeles, San Francisco, New York, Miami, wherever they're at, at some point in time after they have been missing, after they have run away from home. They, in fact, have been abducted at that point in time. They may not have been in their home, on their property but they, in fact, have been abducted and they have been exploited. Our statistics in Louisville and Jefferson County have indicated that some 10 to 15 percent of those children who are missing have—are in fact, exploited when they are on the streets. When you stop to think about that statistic, it just would have tremendous impact. We have some in the child abuse arena when we talk about nonstranger sexual abuse, either familial or the next door

neighbor, we take some 1,500 reports a month of which roughly 25 to 30 percent of those involve sexual abuse of children in the child protective services arena.

Senator McConnell. That's a staggering figure.

Mr. Dunlap. It's a very staggering figure. I don't think there's any question. There's been a lot of also hoopla attached to the amount of educating of parents, whether or not we are frightening the children and parents. Professionally speaking, I have a concern over not the amount of education, I have a concern over the quality of the education, in terms of how well trained and how effective folks are when they're involved in body safety programs, when they're involved in educating the parents so that we don't end up with the situation where we're scaring our families to death.

Senator McConnell. A lot of amateurs lobbying in the field.

Mr. Dunlap. Correct.

Senator McConnell. Earl, two other questions. One is, are you up to date on roughly how many performances of No More Secrets have been—how many times that's been performed——

Mr. Dunlap. Well, when we started it last year, it ran throughout the school year. They were full up to every single day and in some cases double bookings.

Senator McConnell. Have they been getting out into the State as well?

Mr. Dunlap. In some areas they have been out into the State, yes. The reason that they probably have not been out in the State as much as they'd like to be is because they have just been so booked in areas. It's my understanding that they are going to start up again in September. The attention that that particular play has drawn down has been tremendous, and the impact, at least from the professional observers standpoint and from a number of people that I have talked with, is that the impact has been extemely positive not only on the children but on the families. They have not left that play necessarily fearful but they have had a much clearer understanding of the fact that it's not necessarily Joe Doe that's going to wheel down Jefferson Street, swipe up your kid and throw him into his car and run away with him forever. It damn well could be your next door neighbor. We did a study with the help of the Crime Commission. We just pulled—it is a study, it's not certainly done in a manner where the data base could be questioned only in the sense that we didn't use every case, but we pulled 26 cases at random in the Exploited and Missing Child Unit and it involved some 87 children who had been victims of sexual exploitation. Of those 87 children, 77 percent of those had been sexually exploited by either someone who was known to them or someone who was involved in a professional child caring capacity or supervisory capacity——

Senator McConnell. In other words, have access to children.

Mr. Dunlap. Exactly.

Senator McConnell. One final question. What kind of relationship are you developing—as we're going to hear from them today—with the new Kentucky Center? How do you relate to them in terms of your ongoing——

Mr. Dunlap. Well, mechanism I think has worked very effectively. I just recently saw their first report. I know that—and Lieuten-

ant Van Meter will be able to get into it in detail—they had some 3,500 or 3,600 reports of missing children in the State for the period. Probably 50 percent of those or better came from Louisville and Jefferson County. That's what concerns me about that kind of statistic. I don't question that the stability of that particular statistic in terms of the quality of the center itself, I question whether or not all reports are in fact getting to that center and whether or not missing children that parents are not bothering to report also not represented of that figure. It's my feeling that if you separate the abduction issue from the issue of missing children that they're not more than 1.8 million children that are not where they're supposed to be in this country.

Senator McCONNELL. Thank you very much. Even though it's not on the agenda, I was curious as to whether there are members of the Lexington Exploited and Missing Child Unit here. I know we didn't ask you to prepare something but I'm wondering if you would be willing to come up and just let me ask you a couple of questions. Not holding you precisely to the statistics but I'm kind of interested in asking you a couple of things I asked Earl. If you could just state your name and your position.

STATEMENT OF REBECCA WINGATE, PROJECT DIRECTOR AND SOCIAL WORKER FOR THE EXPLOITED AND ABUSED CHILDREN IN LEXINGTON, KY

Ms. WINGATE. Rebecca Wingate. I'm project director and social worker for the exploited and abused children here in Lexington.

Senator McCONNELL. How are you all structuring your unit?

Ms. WINGATE. Presently there are five detectives——

Senator McCONNELL. Hold that as close to you as you can.

Ms. WINGATE. A part-time lieutenant and two social workers.

Senator McCONNELL. You heard Earl Dunlap's testimony. I'm interested in your observation about the categorization of cases that you are working with. For example, have you had any stranger abductions? Do you know if there were stranger abductions in this county?

Ms. WINGATE. We, to my knowledge, have no stranger abductions. We have had quite an increase of the custodial interference type. Also, well, for instance, last month there was 95 missing persons reports that were children. Of those, nine were custodial interferences. Let's see, 37, I believe, were repeaters, I would say light runners, wayward children. The others would be first time missing. Some of them had run, some had just kind of walked away. I hit all the other categories there.

Senator McCONNELL. I don't want to put words in your mouth. I'm curious. Is it safe to say that the bulk of your cases are nonstranger, sexual assault cases?

Ms. WINGATE. Yes; without a doubt.

Senator McCONNELL. About how many of those do you have working at a given time? What percentage of your cases, for example, are nonstranger sexual assault?

Ms. WINGATE. I'd say 70 percent.

Senator McCONNELL. Seventy percent of them. And in terms of frequency, how many cases do you have working at a given time?

Ms. WINGATE. OK. This morning on my list of outstanding missing children there are 17.

Senator MCCONNELL. OK. And nonstranger sexual assault cases that you are involved in working; roughly how many of those——

Ms. WINGATE. OK. Those are divided up between all of the detectives, so I don't know the number that we have——

Senator MCCONNELL. Are you a referral point for those cases? Are you involved in them?

Ms. WINGATE. Yes. A lot of them I'll do the interviewing or the special services with the child. I work all missing persons reports and I'm assigned some of the sexual, but on the missing persons you end up working on one of those because it becomes a sexual case.

Senator MCCONNELL. Do you deal a lot with the State center?

Ms. WINGATE. Yes. I'm doing the paperwork and in talking with Cathie a lot on following up other information between States.

Senator MCCONNELL. I appreciate your——

Ms. WINGATE. One thing I'd like to just tell you because what concerns me about categorizing a lot of the children that would be runaways because they have been in court many times and they're known as repeat runaways. But they become more at risk once they are out and I worry about them being categorized as runaways, people looking at them, oh, they run all the time. But once they have been out for a period of time being hooked up with an adult and they have become more of a stranger abduction because they can't get away or break that bond.

Senator MCCONNELL. They're really no less at risk because they chose to leave on their own.

Ms. WINGATE. I think they're even more at risk a lot of times because possibly they're more desperate.

Senator MCCONNELL. Thank you very much for giving us a Lexington perspective. This community has been very progressive in this field. As far as I know it's the second comunity in the State to set up an exploited and missing children's unit. Going back to the agenda, I'd like to call on Larry Wooldridge, director of the YMCA Shelter House.

STATEMENT OF LARRY WOOLDRIDGE, DIRECTOR, YMCA SHELTERHOUSE, LOUISVILLE, KY

Mr. WOOLDRIDGE. Thank you, Senator. I've got some written testimony. I don't have a statement to read but I would like to submit my written testimony.

Senator MCCONNELL. We'll put your written testimony in the record and ask you to summarize it.

Mr. WOOLDRIDGE. If I could, I'd like to first of all express my appreciation for the invitation to be here and to share some thoughts with you. I thought the best way for me to share information on our program would be to give you a quick overview of some of the things we are doing and deal specifically with some of the issues that you brought up here. First of all, as you know the shelter house has been in operation since 1974 in Louisville. The average number of kids we see is generally around 500 in residency each

year. Already this year we have seen in excess of 400 and it looks like we'll probably finish up 1985 with over 600 kids.

Senator McCONNELL. Do you get all the referrals from some agency or——

Mr. WOOLDRIDGE. No. The majority of our kids are walkins. We get about 23 percent of our kids from the Jefferson County Department for Human Services——

Senator McCONNELL. The rest of them must know where you are and they just walk in off the street——

Mr. WOOLDRIDGE. The rest of them come via word of mouth or are referred by other local social service agencies or groups. By the end of this year we will have housed, since we started in 1974, over 7,000 children. So we've been in the runaway business now for almost 12 years.

The majority of our kids come from the local areas—75 percent from the Louisville/Jefferson County area. Most are 15 to 17 years of age. Most are females.

I'd like to deal with this whole question of numbers. It's a tricky thing; it's been tricky ever since we've been in the business. Total numbers are difficult to get a handle on. We feel that the majority of missing children are in fact runaways. We feel that probably 95 percent of those kids are runaways. Only about 5 percent we would classify as missing, and when we say missing children, we generally are speaking of younger children. We're generally speaking of children who are victims of parental abduction versus stranger abduction.

I think those of us in this business have done a terrible disservice to the public; to parents who are now afraid to take their children to shopping malls, afraid to take their children out to the park for fear that a stranger or someone is hiding behind every tree to abduct their child. I think we've gone way overboard with some of our national statistics and information.

On a very practical level, what has happened to the child care business is that our insurance rates are going through the ceiling. Absolutely outrageous what has happened in the liability insurance area. So, people in the child care business, because of so many accusations and things that have happened with people and children, are very concerned.

Careers have been damaged. Teachers and social workers have had their careers terribly damaged by false accusations. So, I think there is a bit of hysteria in this country that we've got to calm and we really need to get a handle on what we're talking about.

Whatever the numbers, if we can agree that the vast majority of missing children are runaways, then whatever that figure is, 1 million, 2 million, whatever, our feeling is that because those stats are generally based on official reporting they probably ought to be at least doubled. I say that because of the children who come to our shelter, the walkins that we see, only 5 to maybe 10 percent have any official report ever made on their missing status—parents who actually call it in. Most of my staff feel it's closer to 5 percent. So that leaves a huge percentage of kids that we see who are runaways or throwaways. They aren't on anyone's report or counted in any official statistics. So we're talking about an awful lot of kids out there on the streets, running away needing help.

I think we've simply got to get a handle on these numbers and help people in this country understand that it is a relatively small number of children we're talking about who are the younger kids who are missing. Most of these are not stranger abduction, but mostly parental abduction, and we just have to put it in context with the entire situation and sort of calm the hysteria.

As far as what's happening in Louisville with our shelter and the kids we're seeing now this year we've seen many kids who we classify as throwaways; the pushouts. Kids 16 and 17 who have literally been put out of their homes because parents, for whatever reasons, cannot or will not cope with the situation. A lot of these situations would be regular, normal adolescent adjustment behavior or rebellion. But a lot of parents are just not able or willing to cope with the problems.

We see a lot of kids from blended families; a natural parent and a step parent. Tremendous difficulties within those families. Seventy-five percent of our kids come from families we classify as "natural family not intact". There's only one natural parent in the home. These parents are really struggling. Many times the natural parent sides with the step parent at the expense of the child in a disagreement or argument. By so doing they're telling the child, "This time you're not going to wreck my marriage; so you get out, I'm sticking." These kids are put out on the street. We actually have parents bring kids to the shelter house, put them out of the car, throw a bag of clothes after them, and take off telling them not to come back. That happens all the time. When I left the shelter house last night, there were 18 kids in residency. We've been averaging 15 to 16 children a night so far this year, which makes 1985 one of the busiest years population wise we have ever had. A significant number of our residents are the pushouts, throwaway type kids. So, it's a very serious problem.

We're also seeing an increase in substance abuse—alcohol and drug abuse within families and with children. Within families it is particularly the alcohol abuse that presents a major problem.

As far as physical and sexual abuse go, at any given time within our population about 20 percent of the kids would be in residency because of abuse. Of that 20 percent the majority—about 70 percent—would be girls, and most of those would be classified as sexual abuse cases. Those are current cases; current situations that a kid is actively dealing with. If you would ask our youngsters if they had ever been sexually molested or physically abused, about 70 percent say they have been abused sometime in their lifetime. Again, most of those are girls and most of them are sexual abuse. So, we've got a terrible problem in the area of abuse, particularly with teenage females and sexual abuse. This is what is happening to kids in Louisville, KY; the kids we are dealing with day in and day out.

As far as younger kids go, I think it's a very tough, tough dilemma as to what we can do with the smaller kids. Short of stiffer penalties for the adults who do abduct children, both stranger and parents, I would be somewhat reluctant to try and put in place any kind of a system to serve the younger children simply because of their inability to understand the concept and how to handle it. I

think, however, that the education and prevention efforts within the schools are very good steps.

[Prepared statement follows:]

Prepared Statement of Larry Wooldridge

The YMCA Shelter House for Runaways, located in Louisville, Kentucky, is a crisis intervention, short term residential center for runaway, homeless, and other dependent youth. The program is licensed by the Kentucky Department for Human Resources as a residential child caring facility with bed capacity for up to 20 youth. The program has been serving local and out-of-state youth and their families since 1974. Since that time we have housed and counseled more than 6,700 in-crisis and at-risk youth.

So far in 1985, through July 31st, the Shelter House has housed 366 youth, the majority of whom were female (55%), between the ages of 15 and 17 (57%), from the Louisville/Jefferson County area (91%), came from families where the natural parents were not together (74%), were classified as runaways or throw-aways (52%), and reported "Family/Home Problems" as their primary reason for coming to the program (92%). 83 (23%) of the 366 youth were referred to the Shelter by the local Jefferson County social services department.

Beginning in 1984, Shelter House launched a community wide outreach effort called "Project Safe Place". Project Safe Place is a direct-service, out-reach component that provides immediate access to help and safety for any youngsters in crisis, regardless of where the youngster is, or what time of the day or night. We currently have 155 separate, individual sites operational throughout the metropolitan Louisville area. These sites include locations such as fire stations, bus terminals, public libraries, Convenient neighborhood food stores, White Castle restaurants, Kroger and Winn-Dixie food stores, the Louis-ville Courier-Journal Building, churches, nursing homes, and other commercial facilities. To date, 190 youngsters have availed themselves of the services and thereby received immediate help. On site assistance is provided by 140 screened, trained and officially sanctioned adult volunteers.

The Project Safe Place service works like this: A child in need of help; a youth who's run away; a youth being threatened or harrassed, has only to go to a location displaying the distinctive yellow and black "Safe Place" sign and ask any employee for assistance through "Project Safe Place". The employee puts the child at ease, then calls the Shelter House (open 24 hours a day) and explains the situation to the staff person answering the phone. The staff person ascertains the location of the Safe Place and tells the employee he will be back in phone contact with him shortly. Next, the Shelter House staff looks up the roster of assigned volunteers for that particular Safe Place location, calls the

person(s) listed as "on call" for that month (women are called for girls, men for boys), gets a confirmation as to availability of the volunteer to respond, then telephones the Safe Place location and tells the employee who will be coming to the site to assist the youth. Staff also tells the employee the volunteer's social security number. The volunteer arrives within 15 minutes of the call and, upon arrival at the Safe Place, shows the employee an I.D. card displaying his/her picture plus social security number. The social security number is checked against the number given previously over the telephone and also against the volunteer roster maintained at the Safe Place location.

Once all these preliminary safety procedures are completed, the volunteer meets with the youth to determine what is going on and to decide, with the youth, the best course of action to be undertaken. The options open to the volunteer would include: call the police, call E.M.S. (in cases of physical injury), call parents, or physically transport the youth to Shelter House, at which time the professional staff would take over and handle the case in the same manner as any other referred youth. The volunteer would then go back home, fill out a "Safe Place Call Response" card, drop it in the mail, and await the next call.

The key to this entire crisis intervention system is public awareness and education, particularly as it relates to youth. To deal with this critical element effectively, we wrote, produced and directed a 12 minute video that shows how the service works and provides answers to some of the most commonly asked questions about Project Safe Place. A cooperative agreement was reached with the Jefferson County School System and local public television station WKPC to show the video to all middle and high school students during the last two weeks of the school year (May -'85). This in fact was done, and somewhere in the neighborhood of 15,000 students saw the video and were given wallet size information cards following the viewing. The remaining students not viewing the program will be given another opportunity in the fall after the start of the new school year. Our goal for 1985 is to have at least 90% of the 13 to 18 year old students in the public schools knowledgable and aware of the Project Safe Place service.

In addition to this comprehensive outreach effort, the Shelter House also provides, at no cost to youth or families, the following services:

*** 24-Hour crisis counseling, information and telephone referral.

*** Residential services for both boys and girls for up to 30 days (longer is necessary).

*** Individual and group counseling.

*** Family counseling for both residents and ex-residents.

*** Education and tutorial services.

*** Job readiness training and placement (to be initiated in late 1985, early 1986).

*** Recreation, camping and field trips.

*** Three-month aftercare services.

With nearly 12 years of firsthand experience in working with runaways, with youth in-crisis and at-risk, and with their families, we believe we are in a very unique position to be able to comment on many aspects of the national perspective on runaways and missing/exploited children. We have housed and counseled youth from practically every state in the country and have worked with families of youngsters from age 9 to 18. The kids we've seen have come from all socio-economic levels and from every imaginable circumstance. By the close of 1985, we will have helped over 7,000 youth.

In an attempt to more clearly focus on the most pressing issues within the runaway-missing-exploited youth dilemma, I have chosen to direct my thoughts and comments to the following broad categories.

1. *Clarifying numbers related to missing versus runaway youth.
2. *What's happening in Louisville relative to runaways and families.
3. *What steps can be taken to help protect young children (up to age 12).
4. *What measures would most effectively improve services and systems-response to runaway teenagers

1. *CLARIFYING NUMBERS RELATED TO MISSING VERSUS RUNAWAY YOUTH

There is no doubt in our minds that the vast majority (95%-99%) of "missing kids" in this country are in fact runaway kids. These runaways are mostly teenagers, and many of them have been kicked out of their homes because their parents can no longer cope. The national statistics that do exist for runaways should probably be doubled in order to get a more realistic handle on true numbers. Many runaways are never reported by parents to official authorities, and "throwaways" are, of course, never mentioned to the authorities. An accurate accounting of runaway youth in America today would probably be in the neighborhood of 2 million.

As for the 1% to 5% of "missing kids" who could be classified as truly missing, we believe the vast majority of this relatively small percentage are missing due to "parental abductions". These tend to be younger children (up to age 12) who get caught up in divorce/custody issues and usually end up being abducted by a desperate parent or relative. The remaining kids in this small 1%-5% category are the kids who are abducted by strangers. While the situation is truly

tragic, and one we should be concerned about, we do not believe it to be the highly exaggerated national threat that many expound. Parents throughout the country are needlessly paranoid and fearful of taking their kids shopping or to the local park. We've done a terrible disservice to both parents and kids and the numbers and situation need to be cleared up as soon as possible.

2. *WHAT'S HAPPENING WITH RUNAWAY YOUTH AND FAMILIES IN LOUISVILLE, KENTUCKY:

The trend lately has been toward more and more "pushed out" or "throw-away" type kids showing up at Shelter House -- kids who have literally been kicked out of their homes and told not to return. Parents of these kids generally are unable or unwilling to cope with what, in many cases, is fairly normal adolescent adjustment behavior and rebellion. Many parents are poorly equipeed to be parents in these cases -- emotionally as immature as their teenage son or daughter.

Another major problem we constantly see is youth being scapegoated by a natural parent-step parent couple. Close to 75% of our kids come from families where one of the natural parents is absent, and if a step parent is present, it usually means difficulty for the youngsters. Recently we have been seeing cases where the natural parent sides with the step parent, at the expense of the youth, and the consequence is that the youth is kicked out. This particularly happens if the youth (boy or girl) is 15 to 17 years of age, -- some even younger.

We also see a substantial number of kids and families struggling with problems related to both physical abuse and substance abuse (alcohol and drugs). As for physical abuse cases, at any given time approximately 20% of our population (mostly girls) would be with us because of recent physical or sexual abuse. Of the two, sexual abuse is by far the more prominant (70% of the 20%). If the question is asked to youth about having ever been the victims of child abuse (anytime in their life), the affirmative responses are in the neighborhood of 70%. Again, as in the 20% recent abuse cases, the majority of past abuse cases fall in the sexual abuse category for girls.

For youngsters coming to the shelter via Project Safe Place (190 as of 7/31/85), clearly 75% came because of serious family problems. The remaining 25% sought help because of physical and sexual abuse situations.

3. *WHAT STEPS CAN BE TAKEN TO HELP PROTECT YOUNG CHILDREN (UP TO AGE 12)

If doesn't seem realistic or feasible to try and develop a service delivery system to reach younger children -- they simply don't understand the logistics of utilizing a service such as a runaway center or outreach effort. However,

there are steps that could be taken to more directly address the issue. Among these would be:

- Stiffer laws and penalties for child abduction, whether parental or stranger initiated.
- Ongoing education for kids (through the schools) and for parents (through existing runaway centers, public agencies, private efforts, etc.).
- Community-wide prevention efforts undertaken by local groups to address the issues.
- Continue efforts between government agencies and the private sector (milk producers, national products, T.V.) to seek information from the general public as to whereabouts of actual missing children.

4. *WHAT MEASURES WOULD MOST EFFECTIVELY IMPROVE SERVICES AND SYSTEMS-RESPONSE TO RUNAWAY TEENAGERS:

First of all, we believe the proposed new senate bill, S.1174, is perhaps premature and should be tabled until more data is in from the recently established National Center for Missing and Exploited Children and the few state clearinghouses that are in existence. These are relatively new programs that are still struggling to get established and we believe it is too early in the game to now go about setting up clearinghouses in every state. We don't know for sure if these clearinghouses really work. If they do work, at what cost and to what degree? How much will it cost to track a missing child? Will the effort be successful? If so, in how many cases? What happens to all that data once generated; and how do all the computers and stacks and stacks of printouts really help us find a child? Or is it just more paper, more bureaucrats, and perhaps more waste of critically limited federal tax money?

These and many other questions must be answered before we pour more dollars into a system that, now in light of more accurate numbers and statistics, is open to question as to its purpose and fiscal viability. What we need to do is evaluate the National Center and the existing state clearinghouses to determine their effectiveness and true costs. Once this is accomplished, then perhaps we will have the hard data necessary to make decisions on expansion of the effort.

As for other efforts that might be more timely, one very important step that could be undertaken by the U.S. Senate, and the entire congress, is the appropriating of additional funding for Title III of the Juvenile Justice and Delinquency Prevention Act, the Runaway and Homeless Youth Act (P.L. 93-415). The current funding for this Act is $23.25 million, the majority of which goes

to support 260 runaway and homeless youth shelters across the nation. A portion of this $23.25 million also goes to support the National Runaway Switchboard and to the development of innovative direct service projects and research directed at special issues and problems re: families and other youth, independent living, suicide prevention, juvenile prostitution, and others.

At a minimum, the Runaway and Homeless Youth Act appropriation needs to be doubled, if not set all the way to $50.0 million. We need to not only strengthen existing programs, but to also increase the number of programs to 500 (+) throughout the nation. With the true number of runaways away from home for one night or more set at something like 2 million (+) annually, the existence of 500 shelters, operating 24 hours a day, could have a dramatic impact on reaching those kids and providing the much needed safety, counseling and family services. Runaway shelters have demonstrated their cost and service-delivery effectiveness and we need to build on these proven models. They have shown that they can reach teenagers and that youth will seek them out when in crisis.

Another important measure that could be undertaken is to start looking at ways in which the U.S. Department of Health and Human Services (administrators of the Runaway and Homeless Youth Act) and the Justice Department (administrators of the Juvenile Justice and Delinquency Prevention Act) could work together in a cooperative/collaborative way to help runaway/missing children. Runaway shelters work. They work really well when it comes to helping families deal with adolescent problems and communication breakdowns. We need to look to these shelters as the experts within a community and seek their advice and assistance in dealing with the entire range of issues and problems related to runaway youth and youth with personal and family problems. Why build another layer of bureaucracy around "missing children" when in fact we already have a well established, and highly effective, national effort called the Runaway Youth Act. Surely J.J. and D.H.H.S. can work together to tackle this critical youth issue.

A third major step that could be initiated to more effectively reach runaway youth and youth who, for whatever reasons, find themselves on the streets and in need of help, would be to officially designate one single national logo to be utilized by all runaway shelters in their outreach efforts. If, as proposed earlier in this paper, the number of runaway centers across the nation were increased to 500 (+); and if, as we've done in Louisville, Kentucky, an out-

reach approach like "Project Safe Place" was established in all shelters utilizing the distinct, registered Safe Place logo, it would mean that any youngster in need of help, in any town or community where there was a runaway shelter, would recognize the logo and know immediately that s/he could get help by going to that "Safe Place". In other words, through the national promotion of one, distinct logo, we could alert the thousands of kids who end up on the streets each year that help is available and that they can access the runaway shelter by going to the "Safe Place" and asking for assistance. So, regardless of the state or community a youngster comes from, or where they run to, when they see a "Safe Place" logo they know what it means and how to get help. This "universal help logo" concept could add a great deal to the dilemma of getting runaway kids in touch with shelters and their available services. Keep in mind that the shelter in Louisville currently has 155 separate individual "Safe Place" sites open and operational. To date 190 youngsters have used the service.

One final point that needs to be stressed is the fact that the runaway youth problem in America is really only symptomatic of a far greater national problem -- the struggle and disintegration of the family. Families in America are in serious trouble. Economic conditions, unemployment, and major cut backs in federal and state human services all combine to put more and more stress on the family unit and its members. A recent U.S. Census Bureau study indicates that the percentage of children under 18 years of age who are living below the poverty level has dramatically increased since 1979. Another recent local report, Kentucky's Children: A Critical Moment, compiled by the Governor's Protective Services Advisory Committee (March, 1985) indicates that the number of child abuse and neglect reports, from 1980 to 1984, doubled from 15,668 to 32,713! The number of reported cases of sexual abuse increased from 671 in 1980 to 2,126 in 1984.

These indicators all point to one inescapable conclusion: there is serious violence, trauma and discord within families in this country. And no effort to help kids will even hint at success if we don't provide assistance and support for families at the same time as we develop and implement services for youth.

Senator MCCONNELL. You are aware that last year's legislation called for nonprobatable sentences for sexual assaults?

Mr. WOOLDRIDGE. I think we need to really get tough on adults who take advantage of children. Across the board. I don't think there's any question about that. So, if we're talking now of this 1 million to 2 million missing children's problem and we're saying that the majority of them are runaways, which we believe they are, then what sorts of things can we do, what steps could specifically be taken to help remedy the problem?

With all due respect to your recently introduced Senate bill, we feel that perhaps it's a bit premature. Premature only in the sense that the national center is relatively new and those States that do have existing clearing houses are also relatively new. Let's give them a little more time to see how they really work. What is it really costing us to track kids? Are we successful? Are we successful in the majority of cases? Are we really spending our money in the best way in terms of tracking down these kids? If we're talking about only 5 percent of the total 1.8 to 2 million missing children being younger kids, and seeing as how we already have the Runaway Youth Act in place—since 1974—which is a $23,250,000 national effort, it seems to me that it makes a great deal of sense to work together in trying to help runaways and missing children.

All I am suggesting is that perhaps we wait a bit; look at the national center and see what kind of results they get, and see what the State systems are doing. We're seeing very little coordination right now, for example, between our runaway shelter and either the national center or the State clearinghouse. It's not anyone's fault or anything, it just hasn't been worked out. I think we need to give it time to do just that.

There are currently 260 runaway shelters in this country funded by the Runaway Youth Act. We need to build on their experience. We've been at this since 1974. Many other shelters across the country have also been working in this area since 1974. We believe that runaway shelters and runaway staffs are the experts in communities on runaway kids. We need to build on that expertise and we need to call those people and missing children people together, and let's sit down and work together.

One of the things that I'd like to recommend is that we take a closer look at the Runaway Youth Act. That, in fact, the effort needs to be doubled in terms of Federal appropriations. That, in fact, we need to double the number of existing runaway centers in this country.

Senator MCCONNELL. How much was appropriated for the——

Mr. WOOLDRIDGE. Well, that's title III of the JJDPA and it's administered by DHHS, and it's $23.25 million currently.

Senator MCCONNELL. Those are matching grants or direct grants, or what——

Mr. WOOLDRIDGE. Those are matching grants. The total budget for our agency, of which the shelter is only one part, is about $450,000. We receive $145,000 in Federal Runaway Youth Act money. The rest of the agency money we raise locally from donations, United Way, gifts, and so forth.

Senator MCCONNELL. How did that item fare at June's budget?

Mr. WOOLDRIDGE. It maintained the same appropriation level as before.

Senator MCCONNELL. Better than——

Mr. WOOLDRIDGE. It's one of the few remaining significant pieces of youth legislation that——

Senator MCCONNELL. The administration, by the way, tried once again this year to eliminate OJJDPA all together——

Mr. WOOLDRIDGE. Well, I think if you'll look at the track record of the Runaway Youth Act you'll see that it is one of the most effective, significant piece of youth legislation in this country.

Another suggestion I would like to make, if, in fact, we could increase the number of runaway centers across the country——

Senator MCCONNELL. How many are there now?

Mr. WOOLDRIDGE. They're currently 260. In Louisville, in 1984, we started, and I know you are familiar with this, Project Safe Place. This is a major outreach effort—we currently have 155 locations throughout the community—where a child in trouble, a child in crisis, can receive help. These are locations such as fire stations, grocery stores, public libraries, et cetera, a child goes in, says, "I need help." The employee calls us, we contact a volunteer who goes and meets the child and, if necessary, brings that child to the shelter house. I am suggesting that we adopt a logo similar to this, or perhaps this exact logo because it is very distinct, and make it a national help logo for all runaway and missing children. In this way every runaway shelter in the country, through their outreach effort, would display this lago throughout their community and any child crossing State lines, going into any community, would only have to know one logo and one way to receive help. Runaway centers, have different names everywhere you go. Sometimes kids don't know a shelter is available in a community. If we could come up with a national logo, similar to an international driving sign, that every youngster knew about, we could really help kids who do end up crossing State lines. Most runaways stay within their local community, but there's a significant number who cross State lines and go into other communities. Kids who are abducted, kids who are being molested, any child who needs help could access a Safe Place and thereby receive help from a shelter. We have helped, through this effort in Louisville, over 200 children since we started in early 1984. We currently have 144 volunteers working for us. So, we know it works. It's a significant effort.

We've produced a 12-minute video that we aired for middle and high school students the latter part of the school year this year. The video explains Safe Place and after viewing the video each child was given a wallet size card disploying the logo on it and information. We estimate that about 15,000 children saw that at the close of school. It was a very hectic time of year for students so we're going to repeat the airing at the beginning of the 1985–86 school year, our goal being to reach 90 percent of the middle and high school children in the Jefferson County system. If they ever need help they will know where to go, and when they see the logo they will know what it means. It works. We've seen tremendous response to the effort.

I think that the last thing I would like to say, and it's been said before, and we're all heard it time and time again but, it's so criti-

cal and we mustn't lose sight of it, is that the runaway missing children problem in this country is a family problem. Families are disintigrating in this society—we have unsettled, tense blended families; we have families laboring under severe economic and unemployment conditions; and we have families that simply cannot cope. The runaway situation is really just symptomatic of what's happening in the familiy.

Senator McCONNELL. Are they not getting better, though? Aren't the divorce rates going down?

Mr. WOOLDRIDGE. Well, the divorce rates may be going down or up, I'm not sure. All we know is that we are seeing more and more families that simply cannot cope.

Our feeling is that more and more people are getting caught up in a below-poverty existence. When a child in these families reaches 15 or 16, and there's 3 or 4 others in the home, they just tell the teen to leave. They can't keep them anymore, and they kick them out. The alcohol and drug abuse that's going on along with the sexual and physical abuse things that are happening within families, I think it's all symptomatic of tremendous pressures on families. In addition to providing programs and services for kids we must also look to providing more services for families. They simply cannot cope. They are having a difficult time making a go of it. We view the runaway situation as being very symptomatic of more serious problems within the family unit and believe that the humane service system must take a look at providing realistic, viable solutions.

Senator McCONNELL. I want to thank you very much for coming and giving us a different perspective. And now, I'd like to call on Lt. David Van Meter of the Kentucky State Police Intelligence Division who works with Bill Stolings in the missing child information center. Very glad to have you here.

Lieutenant VANMETER. Thank you, Senator.

Senator McCONNELL. Give us a report of where we are with the Kentucky Center.

STATEMENT OF LT. DAVID VAN METER, KENTUCKY STATE POLICE MISSING CHILD INFORMATION CENTER

Lieutenant VANMETER. Senator, I appreciate the opportunity to come here before you today and your committee. As you are aware and hopefully the people in Kentucky are aware that Kentucky's response to missing children in the Nation was the creation of House bill 486 and passage in the 1984 legislature. This new law was a model law, we felt, for the rest of the Nation to follow. It not only created the Kentucky Missing Child Information Center but it also gave a mechanism for prosecutors to prepare cases against people who had exploited or abuse children. It also gave courts the ability to take into special consideration the effects of crime on children, and it helped the police investigate these crimes.

One of the things after the creation of House bill 486 and the establishment of the Kentucky Missing Child Information Center was we immediately started receiving calls from other States wanting information on what we had done, how we had done it and trying

to model their laws and their centers after the Kentucky center. We felt very proud that we had a part of this as Kentucky citizens.

Senator MCCONNELL. I was going to say, as the author of that legislation I'm glad to hear you're having that experience also.

Lieutenant VANMETER. We, as a matter of fact, before I came over this morning, I was talking to Connecticut. They had justed passed a law and were very inquisitive about how we were administering our programs, and I think this is probably the fourth time I had been in contact with them.

Senator MCCONNELL. Let me ask you, how many States—I know Florida has been out front and we've been out front—how many States passed similar legislation, or do you know?

Lieutenant VANMETER. I'm not certain but I think probably 12 to 15 States now have State clearinghouses. Many of those States have contacted me directly inquiring about our laws and our legislation and our precedures on setting up the missing child center and how—the mechanics of it, how to set up and everything. I have even had the opportunity to go to Texas and teach there at San Marco University and teach and train field investigators in the art of investigation with the missing child cases and what to expect, and that was 2 days before the Texas Governor signed their law. Definitely Kentucky's act is nationally known and has received national recognition.

With the creation of this major legislation the one thing that the Kentucky legislature did not do was to fund—to make any funds available for the Kentucky Missing Child Information Center. The Kentucky State Police had been trying to match missing persons and dead bodies for several years prior to the legislation, so we already had a mechanism, so to speak, in place that had some experience about missing people and dead bodies. So we were at an advantage having this mechanism already there without any funding.

We also were at an advantage that we had a computer system already in place within the intelligence section and we could take this information and put it on this system so that we could retrieve data back and identify children by any type of physical characteristic as well as name and date of birth. Physical characteristics could also be dental, fingerprint records, clothing, and possible locations where they may be headed. This is not—or the State L.I.N.K. system, Law Enforcement Network of Kentucky, does not have that capability and is interfaced with N.C.I.C. So we were fortunate in having this computer system already in place.

Should we not have had it, it would have been a major expenditure on the State police's funds that were already allocated for other programs. Even with the establishment of the center funding that had been allocated for other programs had to be diverted to reprograming of not only the missing child center computer but also the State computer to set up programs to gather statistical data by. In doing so the State computer program took approximately 5 months to program, validate, and to get a program in place where we could start drawing statistics off of that system to try to identify just how much of a problem we had in Kentucky, what the problem was and exactly what areas we needed to focus in with the children.

We feel that missing children is a national problem and it needs to be addressed on the national level through the various States. We feel that it needs to be addressed through the State clearinghouses.

Our experience has been that operating as a clearinghouse we get a lot of inquiries and people wanting to know the exact procedure to go about investigating cases. Also, they need to know how to contact or where to contact someone in another State to find the information. We have become frustrated several times getting information on a missing child in a State that does not have a central clearinghouse and not knowing who to call or not being able to find someone to call and pass that information along, feeling secure that if that information would be investigated it possibly would lead to the recovery of the child.

Our experience within the last year of operation in Kentucky has been that we have been directly responsible for the location of seven children. In that three of those children had been located in other States, one of them being in Louisiana, and two of them being in California. We've also located a child that was from another State and we located that child in a State outside of Kentucky. We just happened to be the conduit that we went through. We were responsible for locating one Kentucky missing child in Kentucky, and we had two more that were missing from other States that were located in Kentucky. We feel like we have been successful in trying to deal with missing children. We work regularly with the other missing children centers here in the State, as well as with the other police departments throughout Kentucky.

The staff that we have is from a staff that is borrowed from other full-time programs that had full-time jobs, and I can only speak highly of those people that are dedicated to doing a good job with the missing children.

In my prepared testimony before you, I included a copy of my 1984 Kentucky missing report. To date in Kentucky—or through the first 6 months in Kentucky, we had 2,596 juveniles reported missing in the State.

Senator McCONNELL. Will you pull the mike a little closer to you?

Lieutenant VANMETER. Yes, sir.

Senator McCONNELL. What was that? Two thousand——

Lieutenant VANMETER. 2,596 through the first 6 months, Senator. In 1984 we had 3,206 reported missing in Kentucky. We averaged in active end-of-month totals approximately 280 juveniles at the end of each month. Of course, that's a lot—we have a lot of turnover from month to month. Out of the 280 approximately 150 we considered long-term missing.

Senator McCONNELL. Can I interrupt you a minute?

Lieutenant VANMETER. Yes, sir.

Senator McCONNELL. Are their patterns of cooperation across the State? In other words, are you getting better—is it your gut feeling that you are getting more—some agencies are not including in yet—reflecting cases referred to them? How many cases are reported?

Lieutenant VANMETER. I'm not aware of any agency in the State that does not immediately report——

Senator MCCONNELL. Now, I'm talking about local sheriffs, police departments, is there some——

Lieutenant VANMETER. I'm talking about police agencies, yes; the total police agencies not just——

Senator MCCONNELL. You're getting reports from all over the State?

Lieutenant VANMETER. As as I am aware of there are none that does not report. We have just passed administrative regulations that are going to further require more reporting by local agencies, more in depth reporting. We've heard a lot of about statistics today and you've heard a lot about statistics and truly we don't know what the problem is, not only in Kentucky but in the Nation. Simply because there has not been a long enough program to determine what the problem is. When we started up last year in Kentucky one of the things that became very obvious to us at the beginning was that the police departments that had never reported missing persons before were starting to report them. And those that had reported some before, were reporting many more persons. Senator, we feel like we are making headways at the beginning and then as the program went on and more publicity about missing children and Kentucky House bill 486 we saw more people reporting——

Senator MCCONNELL. Particularly since it's required by House bill 486?

Lieutenant VANMETER. Yes, sir; that's correct. As the word got out and spread around, so to speak, and we did things in the State Police to get that word out, notified all these local agencies along with our missing persons program with the issuing of flyers on missing persons. As well as juveniles we also included adults although the law just stipulates juveniles we do include adults in our program. We issued flyers to about 480 police agencies around the State as well as 20 other fire agencies around the State that have programs to publish that information in a wide ranging area due to their magazines or whatever they have, civic organizations whatever. There is a definite need for more money. Again, we were not funded. We had to make do with existing funds and go with what we had, and thank goodness we had those mechanisms in place. I can't imagine what another State would do without some type of mechanism which we had. And some of those States that I have talked to are really frustrated because they don't nave any type of mechanism already set up. They don't have the equipment, the personnel. They don't have training. They don't know where to go to get training. Most States seem to be funding somewhere between $150,000 to $200,000 initially. If we had not had our equipment and personnel already in place at other jobs I don't know where we would have been today.

Senator MCCONNELL. So, I'd say it's safe to say you'd like to see S. 1174 passed.

Lieutenant VANMETER. Absolutely. I would like to see it passed, and along that line, utilizing that money not only to try to get a hold on what's going on, utilize it for study to find out exactly why children are running away. How are they found? Age groups, sex relations, relations between urban and rural. Just try to find out just exactly what creates the problems and why are they going and

also for training materials and staffing equipment, for equipment. I see a great need for a State clearinghouse, for our State clearinghouse in the State. After all, we are talking about $2 million and we need to find out what the need is and then—$2 million is not a lot of money. Quite frankly, more money could probably be utilized. Especially if you're talking about a State clearinghouse and expanding those clearinghouses. Then, once we find out what that need is, we can start talking about the big bucks going into the programs that really benefit and stop the problems.

Senator MCCONNELL. As you know, the Federal Government is drowning in a sea of red ink. The deficit is approaching $2 trillion and the chance of our getting significant Federal money, I think you would agree, is remote. But the idea behind S. 1174 since it's a modest amount of money is to try to at least help the States get off the ground. Once the effectiveness of the State level center is demonstrated it's pretty hard for any Governor of any General Assembly to turn his back on that kind of activity once it's shown its ability. I don't want you to think there's much chance of measuring blocks of Federal dollars. I think that's unlikely. As a matter of fact, it would be difficult to get the $2 million frankly.

Lieutenant VANMETER. Senator, I'm kind of working on the same plane that you worked on, we're all out to grab every dollar we can.

Senator MCCONNELL. I don't blame you. I'm glad to do it. Can I ask you one final question and then we're going to move along or we're not going to get to the parents. I know this is probably not your venue but another part of House bill 486 which establishes a trust fund, and I think the attorney general supervises that, if you know, if you don't, it's no problem, I can find out. I'm just curious if you know how their fund raising efforts are going and what kind of money to chuck off for that.

Lieutenant VANMETER. I'm not sure exactly how much money they have raised, but as you know, they just met, say, 2 weeks ago and funded some private grant for the first time. So they——

Senator MCCONNELL. Those grants for body safety training?

Lieutenant VANMETER. I'm not exactly sure what they were for, but they did fund some grants there and things. So they are getting some money in and [inaudible] is generating some money. The last time that I talked to Attorney General Armstrong's office they were very enthusiastic about that program. Seems some money was coming in at that time and that was just the beginning of the income tax season.

[Prepared statement follows:]

Prepared Statement of Lt. David VanMeter

Consistent with an increased national awareness and concern for sexually abused, exploited, and missing children, the 1984 Kentucky General Assembly passed significant legislation, House Bill 486, in response to this serious problem.

With the passage of House Bill 486, new laws were created to address the following: to enable the police to conduct more effective investigations of crimes againstchildren; to help prosecutors prepare cases and present them in court against persons suspected of committing crimes against children; and to develop effective strategies for the prevention of these crimes. Other provisions also enacted through House Bill 486 include relief for the child who is a victim as well as help for those children who are faced with the challenge of coping with the trauma which often results.

House Bill 486 created a Kentucky Missing Child Information Center (KRS-17.450). The center is housed in the Justice Cabinet and serves as a central repository and clearing house for information about Kentucky children believed to be missing in Kentucky. The center is located within the Kentucky State Police at the Information Services Building, 1250 Louisville Road, Frankfort.

The information collected and stored in the Missing Child Information Center is received from various police agencies throughout the state. As required by law, when a police agency is notified by a parent or guardian that a child is missing, the law enforcement agency receiving the information must immediately complete a Missing Persons Report. Within twenty-four (24) hours after completion of the Missing Persons Report Form, the law enforcement agency must transmit the report for inclusion in the Kentucky Missing Child Information Center computer and shall cause the report to be entered into the National Crime Information Center (NCIC) computer.

Within Twenty-four (24) hours thereafter, the law enforcement agency must investigate the report and inform all appropriate law enforcement officers regarding the missing child and also relay the report to each law enforcement agency with jurisdiction in the area.

The Kentucky Missing Child Information Center's source of information about missing children is the investigating agency. The information is received when the missing child is entered into the NCIC computer. When the entry is made, the center's computer terminal prints out the entry, and a case file is opened in the center for each missing child. When the entry is cancelled, the case is placed in a "closed" file.

Between entry and cancellation, several things can occur. For example, if the entry is matched with a previous entry and cancellation, the center's staff checks to determine if a notation was made when a child previously reported missing and found is again reported missing. If so, the investigating agency is contacted and given this information. If information is received that the child may have been taken out-of-state, checks are made to locate an address where the child may be. Any information developed by the center is transmitted back for follow-up by the investigating agency.

If the missing child has neither returned nor been found and a report is received regarding an unidentified dead body, persons "reported missing" are matched with the "dead body" report to determine whether a positive identification can be made. Information pertinent to these checks is taken from the Missing Persons Report filed by the investigating agency. The Missing Persons Report also serves as the basis for a Missing Person "flyer" to be issued statewide, as required by the new law.

Statistical information is taken from reports entered into the computer system by the local law enforcement agencies and the Kentucky State Police. In reviewing the statistical information, data shows some departments which had never reported missing persons previously are now reporting them. Departments which previously only reported missing persons after a specified time period had elapsed are now reporting all missing persons as soon as they receive a report.

Although this major legislation was passed there were no funds appropriated for the establishment of the center. We had to make do with existing personnel and equipment. The Kentucky State Police had been trying for several years to match missing persons with unidentified dead bodies. This gave the organization some experience of how a system

should work as well as having a small data base to start with. Also, located within the State Police was a computer system which could be programmed to accept and retrieve the information about missing children as required by law. This programming was done from funds appropriated for other programs. Other major programming had to be done to the State Law Enforcement Network Computer System so statistical data could be retrieved indicating the number of children missing and located as well as the circumstances surrounding their disappearance.

Staffing of the center was accomplished by taking full time personnel that had full time duties and adding the work load onto them.

After one year in operation the Center has grown in work load to where a full time staff of three persons is needed. During this first year of operation the Center has been involved in locating eleven individuals, several ofwhich were juveniles. When we say involved, the term should be defined as meaning a lead was developed by the Center's staff which was directly responsible for the locating of a reported missing person. A breakdown of the seven juveniles located by the center shows three of them were reported missing in Kentucky and located in another state; one in Louisiana, two in California: Two were missing from other states and were located in Kentucky: one was missing from another state and was located in a state other than Kentucky; and one was located in Kentucky who was reported missing in Kentucky. This breakdown does not take into account the many leads developed by the Center which may have lead indirectly to the locating of numerous children.

After working as a formalized clearinghouse for over a year, we have found ourselves frustrated at times trying to contact someone in another state where no clearinghouse existed to pass along information about a missing person possibly being located in their state. We believe each state should set up a central clearinghouse which not only would work with the national center, but also with other state clearinghouses. Certainly one of the constraints for many states is the costs of equipment and personnel. Federal matching money would be beneficial to these agencies.

Missing children is a national problem and needs to be addressed on a national level through the various states. This address would best be served by state clearinghouses. For those states like Kentucky who already have clearinghouses, expanding their present role would increase the chances of finding more missing children. If Kentucky was granted federal aid, we could get the electronic media more timely information on children that are reported missing. Flyers could be disseminated faster and to more locations. Training and prevention material could be distributed as well as indepth studies about Kentucky's missing children.

After reviewing Senator McConnell's proposed amendment S. 1174, I personally believe it would be of help to Kentucky.

Senator MCCONNELL. Thank you, Lieutenant. We sure appreciate your good work and we are grateful to you for coming out this morning giving us the benefit of your advice.

Lieutenant VANMETER. Thank you, Senator.

Senator MCCONNELL. We also would like to, at this point, call on several people. One of them I've known over the years and her child has been missing since 1981. Also, we have with us Joanne Roach who is the grandparent of an abused child who has some interesting testimony to give to us about expereiences from Hamilton County, Ohio Court of Common Pleas. She's had great difficulty getting them to examine evidence and to take the problem that she's experienced seriously. She's a different aspect of the problem. We also have—I also was going to ask Rosaline Mudd from the Ann Gotlib search team to join the panel and we'd like to hear from all three of these individuals in the following order. I think we'll take Wanda first and then Ms. Roach and then Ms. Mudd. Wanda, you may start. Move in as closely as you can, because the microphone won't pick it up unless you're very close.

STATEMENT OF WANDA SELLERS COTTON, MOTHER OF A MISSING SON

Ms. COTTON. Senator McConnell, I'd like to thank you. It's an honor to be here today. I'd like to say that it's people like you and all the interested people that are here today that helps me to deal with what happened to my son and get through it. Just to know that he's not going to be forgotten about is real important to me and to other parents of missing children. I want to tell you a little bit about my son, Randy.

Senator MCCONNELL. Let me say this before we go any further. Wanda Cotton is one of the most important people in the development of the Kentucky Task Force and the legislation. Her courage in willing to come forward and discuss her own experience is an example for everybody in the State. I want to commend you for all that you have done in this State.

Ms. COTTON. My son, Randy, was 17 years old when he disappeared. Previous to his disappearance he found a job at a religious camp approximately one-half mile from our home. On the day he disappeared he went to the Kenton County Fair with the minister, Mr. Wade Gibson, and his family, who was the director of the Christian camp for underprivileged children. At the fair he met with some friends from school and got very intoxicated to the point that he was staggering and falling down, and the people were complaining. About 8:30 that evening the Kenton County Police picked him up and decided to take him home. On the way home, the officer stated that Randy assaulted him and called for assistance.

Upon the arrival of the other officer, they put Randy into the other cruiser because it had a screen. The officers stated that they could not get a proper address, so they decided to give him a break and released him a half a mile—about a half mile from home. A neighbor man, Mr. Kelly, was coming home from work that night and saw Randy staggering in front of both police cruisers with their lights on him. He said he had to stop his own truck to keep from hitting Randy. The road on which Randy was released is in a

very rural area. It also leads to the religious camp known as Christians United Helping Everyone, and the Licking River.

On the night of Randy's disappearance the river was flooded and the temperature was 52 degrees, which was very cool for that time of year. Another neighbor, Mr. Lawson, whose yard is up on a hill next to the river, stated he heard his dogs barking and went outside to check. He heard voices down on the river bank and a splash. He thought it was a boat because the splashes were so loud. He knew someone had to be in the water because he heard them shivering and splashing around. At that time he went into his house and went to bed. Randy did not come home that night. And about 8 in the morning Mr. Wade Gibson, the director of the camp, called and told me the police had picked Randy up at the fair and he had made several calls to the police department to try to get Randy released to his care. He said he was told that Randy had assaulted a police officer and was going to be held in custody.

I called the police department and was told that they did not have my son and that they did not pick him up. After I made phone calls to hospitals, jails, and was finally able to reach a Mrs. Williams at juvenile detention, she checked the jail and Randy was not there and had not been there. At this time she called the police department and talked to a man she knew and he admitted that Randy had been picked up and the two officers stated they gave Randy a break and that was the last time Randy was ever seen. While waiting for Mrs. Williams to check the jail, I went to the camp and talked to the minister, Wade Gibson, and in our conversation he stated that Randy was dead and that I would never see him again.

On the evening of the 17th, late in the evening, I got my first response from the Kenton County Police. At that time I told the officer about my conversation with Wade Gibson, and he told me just to settle down and he would check everything out and call me back, which he did late that night. That Sunday night was the longest night of my life. It really was. On Monday morning, the 19th, I went over to the police station early in the morning in a fit of anger. Finally, at that time they took a police report. I told them that I was holding them responsible for my son's disappearance. I feel they were very wrong.

I returned home. An officer stopped by my home to pick up a picture and said he was going down the road to check and see if he could find anything. Later, after my husband called the police and demanded a search they did send out police and volunteers to search the area. Footprints were found and slide prints going into the river as if someone had slid in. The police told my husband that the water rescue team—search team would be brought in to drag the river. Later we found out there was a controversy about who was to pay the bill, and the assistant chief of police told the search team that they would not—told the search team that if they would not bill us to cancel the dragging operations. After this matter was cleared up the next day on the 20th, the team did go into the water, but due to the condition and the fact that he had been gone so long they did not drag then or ever.

At this point I begged the police to let me talk to the police officers—the two police officers that had—to talk to the two police offi-

cers time after time, and never was allowed to meet them, just to hear their story about my son. I waited almost a year and was forced to file a lawsuit against the police. That was the only way I could hear the two officers' story and to see them face to face. After 3 years I was able to hear the officer's in deposition. After Randy's disappearance, the minister of the camp, Wade Gibson, was convicted of sexually abusing children at the camp. At this time I called the police and asked them if they would investigate Wade Gibson with the disappearance of my son, and was told that because of my lawsuit there would be no investigation.

When Randy disappeared August 16, 1980 I felt my life was crushed. There wasn't anyone to turn to for help. The police were involved, and I had no one. It took me 7 weeks to get my son's picture on television, on local television stations. I was living a nightmare and the pain was so bad I wanted to die. I am still, after 5 years, in that same nightmare, and it has changed my whole life. At the beginning there were no organizations to turn to if you were the parent of a missing child. At the time the children from Atlanta were being murdered and I could understand the pain of the parents of these children. This is why it is so important to have organizations so that people of missing persons can reach people who can understand their pain and anger.

Since my son's disappearance I have made missing children my life. I feel the word "missing" is part of my name. I live every day with that word in my mind, "missing."

In the past 5 years I have helped many parents of missing children. When a child is missing I feel I can go to the parent and show them that they can live and that they can survive to be the voice of their children—child, no matter what the age.

In this past year I have looked at the remains of two missing murdered children in northern Kentucky which were murdered—which disappeared and later were found murdered.

I see people around me every day with their lives, laughing, joking, and not knowing how lucky they are not having to carry the pain and the aches of having a missing child. The pain I will carry until I die. I will also search until the day I die.

I am always more than willing to do everything I can to help in the area of missing children and persons. I know from living the nightmare that parents and relatives of missing persons need all the help and support they can get. I know that I am not the only person with a missing problem, and it is like a terminal disease that is growing in our country. We have to make people aware of this problem.

It's my son today; it could be yours or anyone else's tomorrow. I don't know whether my son is dead or alive.

I don't know whether someone, known or unknown to me, murdered my son. Did he slip into the river? Did he cry out to me for help? Is he in a mental institution somewhere in the United States? If I could just know that he was breathing or just even find a bone and know that it belonged to him, I could finalize the nightmare. I would be willing to stand in front of a firing squad and give my life, to be killed just to know what happened to him. I would be willing to give my life.

And I'd also like to say that, again, that I am grateful that everybody is here today with their concerns.

And it's hard—it's hard to tell this story, but I live with it every day. He's the last thing in my prayers at night and the first thing when I wake up in the morning. He was 17 years old, he was my first-born child, and I love him dearly.

My son did not run away. My son and I were very close. He didn't call me mom, he called me darling. We were close, there wasn't any reason for him to run away. Like I said, I've looked at the remains of two missing children that were found murdered this year and it's sad.

Senator MCCONNELL. Wanda, I want to thank you for relaying that heart-rendering story. Also, I want to insert in the record the poem that you wrote in September 1982 about the disappearance of your son which I'll take a look at.

[Poem by Ms. Cotton follows:]

To my son Randy . . . . .

STILL MISSING...

As I sit alone with the crickets and their song
The nights grow weaker as the days grow strong.
I'm really very lonely
And I can't imagine why.
You haven't even reached me
I'm sure you would have tried.
I wish that they would find you
And set my mind at ease.
I'm locked inside a vault
To which only you have the keys.
Where have you been?
Where did you go?
I long for your touch,
Your warm and gentle glow.
I know you must be hurt, sad and all alone.
I wish I could numb the pain,
So you can be happy and come home.
I pray every day,
Dear Lord, Please send Randy safely home.
I can hardly bear to think
That he is forever gone.
It's been two years
And nothing's been the same,
My life is full of nightmares
And tears that fall like rain.
There are to many things
I don't understand.
I do believe you hold
All my tomorrows in your hand.
Some day I believe I will see my son again,
In a land where there will be
No more heartache and pain.
Where all missing children and loved ones
Will be united once again.

-Wanda Cotton
9/82

Senator MCCONNELL. Mr. Maddox tells me we're developing a time problem so I'm going to ask each of the last two witnesses to try to summarize if you can. Five minutes each. Ms. Roach, we'll start with you.

STATEMENT OF JOANNE WUNKER ROACH, LOVELAND, OH

Ms. ROACH. I want to thank you for inviting me here. I feel very honored. I came to Kentucky last year because Kentucky has a great care for the children and I came down to Grant County to hear you and John Welch at the time. And from then I have sought many channels. I have submitted my testimony to your staff.

Senator MCCONNELL. It will be included in the record.

Ms. ROACH. I think I can read this in about 2 minutes. The last 2½ pages. These are some suggestions I have from my case.

The removal of the extended family and placing juvenile and protective service as parents has caused the rise in the number of missing and exploited children.

We are losing our children in our country because of the reunification program. The eight-hour specialist-welfare and juvenile should be greatly curtailed. The Protective Services Agency should be made a helping hand agency only. The hospital, the doctor, nurse, and social worker, within the framework of the hospital, and the police, the 24-hour specialist should be the ones to have the stronger voice. Children are a dollar-sign to the courts and agencies. We have even had children in Ohio die who looked as bad as the starving in Ethiopia. However, our children had food stamps. It is a shame that such incidents as the savings and loan fracas in Ohio took precedence over little, exploited children who cannot stay the hand of death, because they must wait while monetary interests are worked out.

The overall philosophy of the juvenile courts across the country was that when the parents failed to assume the responsibility then the juvenile courts would assume the parental role. The notion that the juvenile court was functioning as a parent was illusionary rather than real. The juvenile court in many cases has been as delinquent as the parents in acting in the child's best interest.

The extended family should be first with the child if they are willing to assume the commitment. A child should have love and stability. And if no family, then the child should be adopted or given a permanent placement in a foster home. Time heals the injuries if help comes quickly and is lasting.

The American Indians fought for their children and in 1978, S. 1214, the children had a bill of rights. for the safety of our children, and for them to have a voice and life, all legal and medical documents must be read.

A referee's decision should be affirmed or denied by a judge within 1 week, with the judge's signature on the document. A child doesn't have time. Exploited children are afraid to say no, because the hurt will be greater if they say no.

There should be a mediator to act in place of a child or interpret what a child is saying.

All standing court orders must be enforced by any law officer.

Within the national center it would be good to see a monitor and advocate section of the juvenile courts. A closed court causes corruption and the juvenile court is closed. They say that all docket books and all records of juvenile court are closed due to the sensitive nature of the matter, however, court rooms are wide open in the Court of Common Pleas where exploited children have to face lengthy public trials. I fail to find justice in the Hamilton County, OH juvenile court and I was appalled at the Juvenile Justice Code. It is gauged for the adult, not the child.

I began to seek knowledge and help last August 1984. I want to Grant County, KY to hear Senator Mitch McConnell and John Walsh speak. I testified before the Ohio Task Force on children and I provided them with all legal and medical documentation. The chairman ordered welfare to clean up this case, which he stated has been grossly mishandled. The complaint wound up on the local complaint department's desk and back with the caseworker, Little John, who caused the original damage, Health and Human Services. The case has never been cleared up and the children are still suffering.

Next I began to seek all the educational material and legal material I could find at the local library. I watch C-SPAN for the investigation hearings on any number of child related subjects. I checked all local groups, attended meetings, monitored court trials and hearings, wrote letters to numerous officials and elicited advice from certain local law enforcement officers.

I have made numerous telephone calls to various parts of the United States to learn about various organizations, literature and testimonies on the subject. I have traveled many miles and lobbied for children's rights to local, State, and National Government. I have supplied people seeking help with legislation with educational materials and places to go for help to save them that time which is so precious for children.

If every State had a clearinghouse people who care about children would be able to obtain knowledge of what to do to save missing and exploited children. The clearinghouse would act as a check and balance system for our children against corrupt courts and agencies.

There are 350 missing children in Hamilton County since April, 1985 when they began to feed in the reports to Columbus. I have yet to see one picture, one plea for help, one story for any of these children.

I feel that the National Crime Information Center, which is already established, should establish a section for missing—for exploited children in which information of the abuser and their social security number along with the charge, whether it goes to court or not, that the police or hospital has brought against the abuser be entered into the NCIC.

I feel that the missing children should be broken down into more categories, such as the little boy in Danville, KY who ran away, but was found in Hawaii with his former counselor. No exploiter in the United States would be safe if all abused and missing, exploited children would be entered into the NCIC.

The children of these United States of America have a right to live under S. 1174. It is the finest bill. It gives the children rights

where they now have no rights, and are owned by protective services and juvenile court. It has a marvelous balance by bringing the law enforcement unit and the U.S. Comptroller into S. 1174.

Finally, the children will have a voice.

[Prepared statement follows:]

PREPARED STATEMENT OF JOANNE WUNKER ROACH

Mr. Chairman and Members of the Committee:

As Henry Hubbard Foster, a lawyer who wrote The Bill of Rights for children stated - "One of the interesting things about our society in America is that both ends of the life span are relagated to an inferior position.

I feel strongly about the American Family Unit - our children are the foundation of these United States of America. The grandparents, grandchildrens bond is second only to the parents bond and very important to the well being of the child. Divorce is rampant - twelve million children are involved and the grandparent is often the only stable unit for the child. Child abuse and neglect is widespread. Many grandparents are frantically trying to rescue their grandchildren from these situations. Nationally recognized Swiss psychoanalyst and author Alice Miller says that the ones who escape this abuse cycle usually have a safety valve - some to listen and love them. Grandparents love their grandchildren unconditionally. They are more consistently interested than the professionals of the Children world. In 1985, children have the greatest possibility of a relationship with a grandparent for a longer period of time than ever before, because grandparents are younger today. The relationship enriches each others lives - the roots are established and the valuable length between generations is established.

In all the court appearances, Juvenile authorities (with the exception of Referee T. Syer who gave an emergency order) have never listened to witnesses, read medical testimony, and have come up with a repeated statement that the adults are hostile and you do this or the court will place the children in a Foster Home!

Childrens Hospital called Protective Children in for child abuse. My tiny granddaughter had been injured before. This time the hospital took pictures and sought binding legal help. The hospital has been most cooperative in trying to help.

Protective Children's Services finally called me and said they were trying to locate my grandchildren. They wanted to place them for adoption. I said this wouldnt be necessary. They were wanted here and loved. I have had both children since approximately twenty days after the birth of the youngest child. According to the childrens Pediatrician the children were bonded to me, my family and home. I have taken care of the children's needs, and whenever they were injured they were brought to me by my daughter or I was called and asked to come and get the children. (My daughter would come to my home, pick them up - keep them for a day or more then call me to come and get them.) Protective Childrens Services neglected to get a court order. Due to this, in December 1982 I was arrested for child stealing. The next morning I applied for Guardianship in Hamilton County Common Pleas Court. Then I went to Juvenile Court to ask for the emergency order which Protective Services should have supplied me with. I was granted the emergency custody order. However the Referee stated that the Juvenile Court took priority over everything.

The emergency custody order was appealed to Judge OConnor and Judge OConnor said, "Its Christmas - give the kids back to the mother. We will decide this after New Years. Ive got to hurry to a luncheon party." He

didn't listen to the hospital personnel who came to the court with the records . He listened to no testimony.

One and one-half months later, February '83, my daughter called me and said "Come and get the children". The medical bills were mounting and no one offered any aid. I went to ADC at the request of Childrens Hospital. I was provided a medical card - I didn't want Welfare to own these children. (I later read an editorial in The Cincinnati Enquirer stating that Welfare said they owned all abused children - even if they had a caring family.

I sought psychological help and more protection for the children. The hospital wanted the parental visits restricted and supervised. However, S. Hendon , Referee, listened to nothing and ordered the children out two weeks after surgery (granddaughter) on unsupervised visits. A full custody trial was set in front of another referee. The hospital sent records. The Pediatrician, the Psychiatrist - all principals involved in the case came.

The Referee, Morelli, told my attorney that he was going to place the children in a foster home due to the fact that the adults couldn't get along. Now I had temporary custody and my little granddaughter had anxiety and depression at age 3, and my grandson had lost his speech. I didn't want to risk any more injury to these children so I dropped the Hearing because the Referee had pre-decided. I was then told that I had to submit to a Re-unification plan. He ordered all to read medical records, and in one month to come back to court. In one month medical records were no read (This should be mandatory) and the only thing that was done was that Protective Childrens Service s set up a Re-unification plan. The Referee said Protective Children's Services had custody of the children. Also the entered a paper not signed by the Judge. (I have never been presented with a legal change). Six months were given for them to follow this plan. In six months the parents didn't comply with the plan, so Dugan, another referee, gave them another two months and threatened me with a foster home for the children if I didn't comply. I took my granddaughter to the Childrens Psychiatric Center - Jewish Hospital - a very fine and caring school for helping heal exploited children.

On July 25, Referee Dugan held the Re-unification Hearing. Dugan refused a continuance due to the fact that the Guardian Ad Litum was in the hospital and that I was ill with a "strep" infection. Daly, the therapist, falsified testimony. Referee Dugan ordered the childrens removal. The next day Protective Childrens Service came to my home, and without presenting any identification or any court order, removed the children, over my protest, because they were also ill and in bed at the Pediatrician's order, with 102 temperatures. The sick children were not delivered to the parents but to Daly the therapist. A few weeks later Protective Childrens Services ordered all records closed to me .

The Re-unification plan says in part the parents must submit to drug rehabilitation, that one parent must work and that he must not break any parole rules. He has frauded Welfare, which they refused to prosecute, and whom the Parole officer also refuses to prosecute for his numerous violations.

I am concerned for the safety of these children and other children the courts keep sending back to abusive parents.

There is no empathy in those who see others suffering and do nothing. Protective Children is Protective adults. The children have no Civil Rights.

The Juvenile Court Law needs to be changed, especially when it comes to child abuse. An abused child should be kept at Childrens Hospital and not farmed out to Welfare authorities. There are too many children becoming statistics in order to put parents back together. I am prohibited from getting my daughter help. I am only a parent and she is a consenting adult. But, Welfare can go in and try to live everones life for them on the taxpayers money. The abused child should not be put back in the home of the abuser - at least not until they are older and can have a legal say in the matter. What my grandchildren have gone through will be with them for their lifetime.

Removal of the Extended Family and placing Juvenile and Protective Services as parents has caused the rise in the number of missing and and exploited children.

We are losing children in our country because of the Re-unification program. The Eight-hour Specialist - Welfare and Juvenile should be greatly curtailed. The Protective Service Agency should be made a Helping Hand Agency only. The hospital (doctor, nurse, and social worker) within the framework of the hospital, and the police, the 24 hour specialist should be the ones to have the stronger voice. Children are a dollar sign to the courts and agencies. We have even had children in Ohio die who looked as bad as the starving in Ethopia. However, our children had food stamps. It is a shame that such incidents as the Building and Loan fracas in Ohio took precedence over little, exploited children who cannot stay the hand of death, because they must wait while monetary interests are worked out.

The overall philosophy of the Juvenile Courts across the country was that when the parent failed to assume the responsibility then the Juvenile Courts would assume the parental role. The notion that the Juvenile Court was functioning as a parent was illusionary rather than real. The Juvenile Court (in many cases) has been as delinquent as the parents in acting in the childs' beat interests.

The extended family should be first with the child if they are willing to assume the committment. A child should have love and stability. If no family then the child should be adopted or given a permanent placement in a Foster home. Time heals the injuries if health comes quickly and is lasting.

The American Indians fought for their children and in 1978- S1214 - the children had a Bill of Rights. For the safety of our children, and for them to have a <u>voice</u> and <u>life</u>, all legal and medical documentation must be read.

A referees decision should be affirmed or denied by a judge within one week, with the judges signature on the document. (A child doesn't have time). Exploited children are afraid to say "<u>No</u>", because the hurt will be greater if they say "<u>No</u>".

There should be a mediator to act in place of a child or interpret what a child is saying.

All standing court orders must be enforced by <u>any</u> law officer.

Within the National Center it would be good to see a Monitor and Advocate section of the Juvenile Courts. A closed court causes corruption - and Juvenile Court is closed. They say that all docket books

and all records of Juvenile Court are closed due to the sensitive nature of the matter, however, court rooms are wide open in the Court of Common Pleas where exploited children have to face lengthy public trials. I failed to find justice in the Hamilton County Ohio Juvenile Court and I was appalled at the Juvenile Justice Code, It is gauged for the adult not the child.

I began to seek knowledge and help last August (1984) I traveled to Grant County Kentucky to hear Senator Mitch McConnell and John Walsh speak. I testified before the Ohio Task Force on children. I provided them with all legal and medical documentation. The Chairman ordered Welfare to clean up this case, which he stated had been grossly mishandled. The complaint wound up on the local Complaint Departments desk and back with the caseworker, LittleJohn, who caused the original damage (Health and Human Services). The case has never been cleared up and the children are still suffering.

Next I began to seek all the educational material and legal material I could find in the local library. I watched C-Span (Government Access Cable Station) for investigation Hearings on any number of child related subjects. I checked all local groups, attended meetings, monitored court trials and Hearings, wrote letters to numerous officials and elicited advice from certain local law enforcement officers.

I have made numerous telephone calls to various parts of the United States to learn about various organizations, literature and testimonies on the subject, I have traveled many miles and lobbied for children's rights to local, state and National government. I have supplied people seeking help with legislation, with educational materials and places to go for help to save them time which is so precious for children.

If every state had a Clearing House people who care about children would be able to obtain knowledge of what to do to save missing and exploited children, The Clearing House would act as a check and balance system for our children against corrupt courts and agencies.

There are 350 children missing in Hamilton County, Ohio since April (1985) when they began to feed in the reports to Columbus. I have yet to see one picture - one plea for help, one story about any of these children.

I feel that the National Crime Information Center, which is already established, should establish a section for exploited children in which information of the abuser and their social security number along with the charge (whether it goes to court or not) that the police or hospital has brought against the abuser be entered in NCIC.

I also feel that the Missing children should be broken down into more categories, such as the little boy in Danville, Kentucky who ran away, but was found in Hawaii with his former counselor. No exploiter in the United States would be safe if all abused and missing , exploited children would be entered in NCIC.

The children of these United States of America have a right to live under S-1174. It is the finest bill. It gives the children rights where the now have no rights, and are owned by Protective Services and Juvenile Court. It has a marvelous balance by bringing the Law Enforcement Unit and the United States Comptroller into S-1174.

Finally the children will have a voice.

Senator MCCONNELL. Thank you very much, Ms. Roach. I appreciate your kind comments about the efforts in Kentucky. I understand that Ms. Mudd that the principal thing you'd like to do is to present the map that——

Ms. MUDD. That's one of the things that I've been wanting to do.

Senator MCCONNELL. Well, you could give us a couple of minutes and then we'll take a look at the map and that——

STATEMENT OF ROSALINE MUDD, FROM THE ANN GOTLIB SEARCH TEAM

Ms. MUDD. I want to apologize first for being last minute. I was told that the sign up would be here today and I apparently had been told incorrectly. Most of what I wanted to talk about came to what you opened the hearing with, about the Denver Post news report on the whole issue of missing and exploited children and the statistics. Most of the speakers that have already spoken today covered a number of these points, so I don't need to go over those. I do, however, have a couple of questions that I would like to raise issue with. In the article that was published in the Denver Post and was republished in our own local newspaper it says that in 1983—and this is an FBI report—that the statistics on homicide in children under age 15 were 897, most of which were committed by acquaintances or relatives. And since this was the last available year of such statistics I first question why 1983, the last year that they have statistics on the homicide on children who are age 15. The second question is why the ceiling age was put at 15 on these homicides. Are statistics available on children 16 to 18, mostly the majority is 18 and I think articles such as this are leaving out—it's not what they're saying that's damaging to this whole issue, it's what they're not saying. This causes us a great concern. Basically that's all I have to add on it.

Senator MCCONNELL. Well, I appreciate your adding that. I think everybody in this room remembers the *Ann Gotlib* case, the now nationally infamous abduction case occurred in Kentucky. But it is an illustration that the problem does occur. We can argue about how infrequently it occurs, but it does happen.

Ms. MUDD. I'd like to add that missing children are not the only children who are currently being abducted. Many children are abducted but do not continue to be missing. I read it in my paper almost every other day, and I've collected quite a few statistics of my own on that. Many children—teenage girls standing at the schoolbus stop waiting for a bus are being forced into a car by gun point and taken to some God-forsaken place and sexually assaulted. These are stranger abductions. They just don't remain missing. We have had children that have been taken from one town to another here in Kentucky and sexually assaulted so, you know, we've had one case recently that involved a man being convicted of four counts of kidnapping, three counts of murder, and three counts of rape, one count of attempted rape, and one count of attempted murder. That's only because the 16-year-old fourth victim saved herself from this man. He had already killed one 15-year-old girl in 1981. So these are the statistics that we are not getting because

they have not—they're not gone long enough to be entered into the NCIC. I think that's important. In regard to the map——

Senator MCCONNELL. We're going to have to wrap it up if we're going to look at the map. You need to put it up here.

Ms. MUDD. These are pictures of children that are taken from the Abuducted Children Directory that is published by the National Child Safety Council, and by no means represent all of the children who are missing or who are considered to be taken by an unknown person. They do not represent runaways, they do not represent parental abductions. There are a few that have been found deceased since the directory has begun—you know, has been in publication, since the national center has been opened. The color denotes the year of abduction. The different colors in—I don't think the issue is statistics on this. I think the issue is that children are being abducted. I think that you can look at this map and see that it's not localized in any one area of the country. And I think the fact that so many of them have been missing for so long tells us that all of our children could quite possibly be in danger because we don't know that whoever's committing these abductions don't travel. And I think to play down the significance that anybody's child could be in danger, it's just——

Senator MCCONNELL. Disservice.

Ms. MUDD. Hurting children. Yes.

Senator MCCONNELL. Thank you. We've heard this morning from people who have experienced the heartache of a missing child. We've heard from those who have been involved in drafting the Kentucky model legislation. We've heard from those who are out working with it. And we've heard testimony, I think without exception, in support of S. 1174. I want to thank all of you for coming. And I want to thank you for helping to make Kentucky No. 1 in something. You know, we're not typically accused of that. But in this field I think we are clearly, unambiguously right out in front. And thanks to all of you that that reputation is continuing. This hearing of the Juvenile Justice Subcommittee is adjourned. I wish you all well in your continued work in this field. Thank you.

[Whereupon the subcommittee was adjourned, subject to the call of the Chair.]

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